CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
January 5, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Winterfest 2009**

Open Session

Scheduled Business

7:30 p.m. Big Kahuna – Entertainment License Renewal

7:35 p.m. Community Garden / Farmers Market

7:45 p.m. Pole Petition – Westford Street

Town Manager Reports

- Citizen Petition Town Meeting Warrant Articles

BOS Meeting Minutes

- BOS Work Session Minutes September 18, 2008
- BOS Public Input Session Minutes October 8, 2008
- BOS Regular Meeting Minutes October 27, 2008
- BOS Regular Meeting Minutes November 24, 2008
- BOS Joint w/ Planning Minutes December 3, 2008
- BOS Tri-Board Meeting Minutes December 11, 2008

Unscheduled Business

- BOS Meeting Schedule
- Chapter 40B Reform - Lawyers' Committee for Sensible Housing Policy

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: January 26, 2009

***** This meeting is televised. *****

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

January 5, 2009

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
William F. Dalton, Selectman
Eric Dahlberg, Selectman

Paul Cohen, Town Manager

7:02PM
Chairman Eliopoulos called the meeting to order.

Public Service Announcement

Winterfest 2009 - Kathy Cryan-Hicks spoke on behalf of the Chelmsford Public Library to announce Winterfest's kickoff event which will be on Friday, February 6, 2009. She is requesting a one day beer and wine license for this event, which will feature food based on the theme of the book "Three Cups of Tea" (Chelmsford's One Book choice). Food will be provided by India Palace and Feng Shui restaurants. Desserts will be donated by other area businesses. Tickets are $20.00 per person in advance, $25.00 at door on night of the event. Flyers were provided listing times and locations of other events during Saturday and Sunday of Winterfest. Residents are encouraged to check the Winterfest website for any changes.

Ms. Hicks also announced that there will be a showing of Fred Barzyk's movie series, "Our Town, Our Voices" featuring the Chelmsford Public Library, shown on the local cable channel on January 17, 2009. The DVD will be available for checkout at the library.

> **Motion:** By Selectman Jeannotte to approve a one day beer and wine license for Chelmsford Public Library on February 6, 2009, for their Winterfest Kickoff Event, from 6-11PM. Seconded by Selectman Wojtas. Unanimous.

Open Session

No one came forward at this time.

Town Manager Reports

1) Mr. Cohen noted this is the first public meeting since the ice storm on December 11, 2008. He wished to thank everyone who came forward to assist. He believes they learned a lot from this storm about how to improve communication and provide emergency assistance. A more formal presentation will be made at the next public meeting on January 26, 2009. He feels there is a

need to provide a 911 alternative to handle non-emergency calls, and will research on the State level.

This storm came more quickly and was more severe than was expected. There were many blocked roads, and downed trees with power lines in them, which slowed progress. National Grid will appear at a future meeting to explain what their challenges were, possibly touching upon their tree pruning efforts. The backup generators efficiently kept the sewer and water pumps working. Residents that required emergency shelter returned to their homes as soon as possible. The South fire station was opened temporarily. Mr. Dalton asked how many calls police dispatchers fielded, Mr. Cohen will find out that information. There will be another storm coming in on Tuesday, hopefully not as severe.

2) There will be a Public Hearing on Thursday, January 15, 2009 at the Senior Center to determine local need and demand for funds that could be provided by a Community Development Block Grant.

3) Nomination papers for all open positions on Elected Boards are available at the Town Clerk's office.

Big Kahuna-Entertainment License Renewal

Rick Dupuis, Gold's Gym, and Mark Bastien, Lowell were present per the Board's request. They have 4-5 Charity Events for which they will request one-day licenses, as they may require outside amplification. Inside entertainment will still have amplification, televisions and a juke box. Selectman Jeannotte requested a written proposal for exactly what they are planning to do. Mr. Dupuis requested some assistance with verbiage, to clarify what the Board is requesting. Selectman Jeannotte would like to see how much amplification will be allowed, what instruments and equipment will be used, and to monitor the noise level. Selectman Dalton suggested making all their events one day licenses until they proved themselves to the neighborhood. A lack of complaints for a certain amount of time would show their willingness to comply, at which time a permanent license could be issued. Chairman Eliopoulos asked them to submit a draft, and the Board would review it.

> **Motion:** By Selectman Jeannotte to approve an Entertainment License for the Big Kahuna with the exclusion of all outside live entertainment until further documentation is received. Seconded by Selectman Wojtas. Unanimous.

Community Garden/Farmers Market

Susan Gates and Peggy Dunn came forward on behalf of a volunteer effort they lead to propose a Farmer's Market on Chelmsford Center Common every Thursday from July 9, 2009 to September 24, 2009. Potential signage was shown. They will be attending a Farmers' Market Conference in February, and are constructing a website. Residents can e-mail for information at chelmsfordfarmersmarket@gmail.com. A packet of information and research was handed to Board members which included a brochure for a special license plate, economic benefits of local/organic farming, form drafts of vendor applications, rules/regulations for vendors, Board of Health forms, a list of potential vendors, and a sample certificate of liability insurance. Mass. Federation of Farmers offers an insurance product that the Town could purchase for $385.00.

They are hoping for a dozen vendors at first. Excess fees collected would go to the Town. Vendors are responsible for cleanup, non-compliers would not be invited back. Scott Ludwig is mapping out vendor spaces. They wished to thank Mr. Cohen and Trish Dzuris for their support and assistance.

Pole Petition-Westford St.

Joseph Gleason, Dracut, spoke on behalf of Verizon. A petition was presented about a year ago regarding replacement of pole # 23-61. Because of the location of that new pole, there is concern that lines will sag once the old pole is removed, so a second pole, dubbed 23-61.5, is being requested. Documentation was provided to board members. DPW Director Jim Pearson reviewed the petition, and supports it.

Chairman Eliopoulos asked if anyone wished to speak for or against the pole petition. No one came forward.

> **Motion:** By Selectman Jeannotte to close the public hearing. Seconded by Selectman Wojtas. Unanimous.
>
> **Motion:** By Selectman Jeannotte to approve Pole Petition 36 for pole # 23-61.5 at Clara Way & Westford St., as presented. Seconded by Selectman Wojtas. Unanimous.

Unrelated discussion related to Verizon's tree pruning efforts and policies. Also discussed was the requirement that new developments utilize underground wires.

Town Manager Reports (con't.)

4) Today is the deadline for submitting Citizen Petition Articles for Town Meeting. As of 5PM nothing had been received.

5) Mr. Cohen is in discussion with neighboring towns in Middlesex County that were severely affected by the December 11, 2008 Ice Storm. The request for Federal Reimbursement of Emergency Expenditures was not submitted by the State for Middlesex County, as the expenses did not meet the financial threshold required for re-imbursement. Many towns in the southern part of the county were not affected as severely as the northern part. A total of $4.8 million in expenses was needed to qualify. To date, Middlesex County communities have identified about half of that in total. The affected towns are joining forces to appeal to State officials for assistance in applying for reimbursement.

6) The deadline for submitting project requests for the expected Federal Economic Stimulus Bill is January 8, 2009. The request was announced on December 31, 2008, which did not give cities or towns much time to respond. A list of potential infrastructure projects has been discussed among various departments.

7) Mr. Cohen is waiting to hear about State Funding. The Legislature will vote on January 15 on the Governor's request for authorization to make further cuts, including to local aid. Mr. Cohen has advised Dr. Yeoman and Robert Cruickshank that he needs their reports as soon as possible. He is not sure how municipal aid will affect potential state aid cuts. Mr. Cohen is hoping to

receive information on local receipts, six-month revenue reports, and excise commitments within four weeks. The next Budget Forum will be on January 29, 2009, which is one day after the Governor's budget will be released. Mr. Cohen agreed this will prove to be a very challenging period, as Chelmsford was hit hard with cuts last year. Chairman Eliopoulos noted Chelmsford's allocation of Additional Assistance, and suggested that the Board send a letter to the Governor asking that it remain fully funded. Selectman Jeannotte would like attention paid to Chapter 70 aid, and effects on the five year plan.

8) The Town of Chelmsford was recently awarded an Energy Assistance grant of $156,950.00 which will go towards making several Town buildings more energy efficient. Mr. Cohen promised to continue seeking out similar opportunities.

9) On the 40B front, Mr. Cohen announced that the Town of Westford approved a 308 unit development at Jefferson @ Westford on Rt. 110 in Westford.

There has been no decision announced on the Boston Rd. development. It appears the developer is awaiting appraisals and other submissions.

The next meeting for Aspen Apartments in Billerica will be on January 21, 2008, in Billerica. Chelmsford Town Counsel has been reviewing the proposal, and it appears the Chelmsford may not have any significant exposure other than a curb cut for the proposed emergency access.

10) Tim McIlvenna has been appointed to the Finance Committee. The Planning Board is looking for a new alternate. Board and committee openings are posted on the Town website.

11) Snow/Ice events may go over budget.

BOS Meeting Minutes

Motion: By Selectman Jeannotte to approve the work session minutes of September 18, 2008, as presented. Seconded by Selectman Wojtas. Unanimous.

Motion: By Selectman Jeannotte to approve the Public Input Session minutes from October 8, 2008, as presented. Seconded by Selectman Wojtas. Unanimous.

Motion: By Selectman Jeannotte to approve the Regular Meeting Minutes of October 27, 2008, as presented. Seconded by Selectman Wojtas. Selectman Dalton abstained, all others in favor.

Selectman Jeannotte asked that approval of the Regular Meeting minutes of November 24, 2008 be delayed until she has time to review several sections.

Motion: By Selectman Wojtas to approve the Joint Meeting Minutes of December 3, 2008, as presented. Seconded by Selectman Dalton. Selectman Jeannotte abstained, all others in favor.

Motion: By Selectman Jeannotte to approve the Joint Meeting Minutes of December 11, 2008, as presented. Seconded by Selectman Wojtas. Unanimous.

BOS Meeting Schedule

A list of proposed meeting dates through the first week of April was given to members. Some dates may change, depending on when certain budgeting news is received. Mr. Cohen confirmed he has limited power to make cuts for other elected Boards. He is still trying to get Dr. Yeoman to give him his budget for the school department. Mr. Cohen foresees significant cuts to the school department, as they take a majority of the Town's discretionary budget. He is also concerned about health and unemployment costs. He will prepare lists for the work session on potential overages, areas to cut and other issues based on what he has now. This may change as more information becomes available on funding.

Chapter 40B Reform-Lawyers' Committee for Sensible Housing Policy

The Board reviewed a letter from Attorney Dan Hill and his proposed changes to 40B legislation. Selectman Jeannotte stated that she would like input from David Hedison and Evan Belansky. Selectman Wojtas will follow-up with members of MCAH to determine that organization's level of support for the legislation.

Selectmen Referrals

Selectman Dahlberg:
1) Acknowledged the great response from Town personnel and emergency workers on the December 11 storm. He agreed the utility companies needed to be better prepared.

Selectman Jeannotte:

1) She requested a status on Lewis Farm, and was told the only limited input has been received to date. Hopefully, more input will be available in February. There are 2 existing leases on the property.

2) She would like to see more issues, including possible uses for the Lewis Farm, brought up at the next Public Input Session.

3) The new Community Development brochure looks great.

4) She noted that the Capital Planning Committee recently voted on capital items to be placed on the Spring Town Meeting warrant.

5) She contacted Jean Argento at DEP concerning Aggregate Industries. She would like to consider how, and if, the Board could impose conditions to address neighborhood concerns of the company.

Selectman Wojtas:

1) She referred to a letter from the Kingston Board of Selectmen regarding the potential to fund green energy initiatives with CPC funds. Chairman Eliopoulos said he would bring feedback from the January meeting with CPC on this issue.

Selectman Dalton: No referrals.

Selectman Eliopoulos: No referrals.

Press Questions

Rita Savard, Lowell Sun, wished to verify some information about Federal reimbursement for the December 11 storm. Things included in emergency expenses included personnel overtime costs for dispatchers, police, firemen, DPW and others, operation of the Code Red system, and use of equipment. Mr. Cohen stressed that area towns are banding together to try and obtain this reimbursement.

Adjournment

> **Motion:** By Selectman Jeannotte to adjourn the meeting at 9:30PM. Seconded by Selectman Wojtas. Unanimous.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
Work Session Agenda
January 12, 2009

Town Offices
50 Billerica Rd.

5:30 p.m. Call to Order

Scheduled Business

- David Hedison – Housing Authority
- Budget Update – John Sousa & Darlene Lussier
- Aggregate Industries
- CPC Amendment
- Letter to the Governor, Additional Assistance
- Redistricting Committee

Town Manager Reports

-

Unscheduled Business

-

Executive Session

Next Regular Meeting: January 26, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Work Session
January 12, 2009

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager
John Sousa, Town Treasurer
Darlene Lussier, Town Accountant

5:35PM
Chairman Eliopoulos called the meeting to order.

Chelmsford Housing Authority

David Hedison spoke on behalf of the Chelmsford Housing Authority. He has recently received completed feasibility studies on the potential for the historic preservation and conversion of the North Chelmsford Town Hall and the Old Town Hall buildings into affordable housing. Regina Jackson told him there are over 4,000 Veterans living in town, and Mr. Hedison noted he has a waiting list of over 1900 people who live or work in Chelmsford, looking for suitable housing. Over 200 of that number are singles. He is trying to obtain funding for both projects through Federal and state Stimulus Packages. If that doesn't work, he can apply for various historic preservation and veteran's grants and tax credits. He would also apply for CPC funding. No commercial development would be allowed in either building.

The feasibility study indicated that 17 studio units could be put into the North Chelmsford Town Hall. Parking may be available in the Fire station lot, and the municipal lot, in addition to some spaces available on the side street next to the building. This building has been empty for 20 years, and is in need of restoration.

The feasibility study for Chelmsford Center Town Hall indicated that it could accommodate 10 one bedroom units, and 4 studio units. The plan reserves some space for a publicly accessible community area (including rest rooms) that could be used for art shows, July 4th events, etc. Parking is available in the adjacent lot, which would include at least 52 spaces. This lot would also provide parking for local businesses and users of the rail trail.

All applicants for either project would need to pass CORI, a credit check, and a landlord history. Each building would require approximately $4 million in restoration and construction costs. All of the units would count towards Chelmsford's 10% affordable housing goal. Mr. Hedison noted that converting both vacant buildings into housing would bring economic benefits to the Town, as the Town would no longer have to maintain them and it would receive some tax income from them.

Authorization for these projects would require that the Town cede control of the properties to the Housing Authority. In order to be eligible for stimulus funds, an architect would need to be selected by March 15, 2009. If the Town is still willing, but unable to commit by that date, he can still apply for funding from other sources. If the projects do not receive approval, the buildings will remain Town property.

Mr. Hedison provided a packet to Board members showing proposed floor plans for both sites, as well as pictures of what the buildings used to look like. Information included data on housing needs, funding requirements, and a brief outline of steps that need to be done. Under historic preservation, no alterations to the exteriors would be allowed. Interflooring would be installed in both buildings. If approved, both projects would be done simultaneously.

Mr. Cohen will review the requirements for transferring control with Town counsel. A public input session at the Police Station will be held on February 2, 2009.

Budget Update

Darlene Lussier and John Sousa were present to give reports on revenues and expenses. School Department Year-end reports and accounting reports were given to Board members.

In summary of revenues, Ms. Lussier explained that the Motor Vehicle excise commitment is down significantly from last year. She had anticipated about $4.1 million for FY09, and has now revised the estimate to $3.6 million, for a $500,000.00 shortfall. Interest and penalties are now expected to fall short by about $300,000.00. Fines are projected to be about $140,000.00 short, as the police department has not had the manpower to be able to keep up with enforcement. There have been no foreclosures or sales of Town property. Mr. Cohen explained he has not heard anything about the 9C cuts that are coming from the Governor. He anticipates between $1.5 and $2.7 million in cuts.

Mr. Sousa has been monitoring salaries and expenses. Snow and Ice removal is close to exceeding the budgeted amount. As of 1/10/09, the DPW has already spent approximately $643,000.00. In regard to employee benefits, the health insurance drop-off didn't happen, and may run $150,000.00 over budget. Unemployment expenses are now projected to be over by $60,000.00 by fiscal year end. The Solid Waste Dept. saw a savings of approximately $60-75,000.00. Property, vehicle and workers compensation insurances saw a savings of $60,000.00. Legal expenses are showing excess costs of approximately $40,000.00, due to the many cases pending. The school department has not yet provided details of areas of savings.

Mr. Cohen foresees an adjustment to the fiscal year 09 budget, and many cuts to the FY10 budget. He is aware the schools cannot absorb many cuts in the FY09 budget. He has not heard how they are planning to adjust. He is requesting all departments to start planning for FY10 now. Mr. Cohen has heard nothing on what relief will be available for towns. He prefers not to use the stabilization fund as a buffer, as it will negatively affect the Town's bond rating.

Mr. Cohen is looking at ways to combine departments within statutory limits. He is assessing how equipment, vehicles and phone lines are utilized. He sees a possibility of having to close 2 more fire stations. Overtime in several departments needs to be reduced, and he is still working on healthcare cost options.

Additional Assistance

Selectman Wojtas drafted a letter regarding Additional Assistance to Chelmsford, including its history, and advocating that it be maintained at current levels. Chairman Eliopoulos noted some additional facts to include in the letter, prior to sending it to the Governor and Chelmsford's state legislative delegation.

Ice Storm reimbursement

Mr. Cohen is still working for state and federal relief from the December 11, 2008 ice storm damage, along with managers and administrators from other affected towns. He reported that a meeting is scheduled for Wednesday in Westford, and expects representatives to be in attendance from FEMA, MEMA, Senator Kennedy's office and Congresswoman Tsongas's office, among others.

Aggregate Industries

Selectman Jeannotte noted that last year's public hearings brought out many concerns that residents have had regarding Aggregate Industries operations. She suggested that the Board take some action to address some of the conditions that had been drafted. Selectman Eliopoulos agreed to review the conditions, and how to proceed, at the next regular Board meeting.

CPC Amendment

Selectmen Eliopoulos reported that the proposed amendment would allow CPC funds to be used for green energy initiatives. These initiatives would be a new category of funding under the Community Preservation Law He will bring this topic up at the next CPC meeting, on January 21, 2009, and report back to the Board.

Redistricting Committee

Selectman Eliopoulos would like to be taking applications for this committee before April Town Meeting. He suggested that the committee be composed of 7-9 members, and will draft a mission statement for review by the Board. He noted a timeline to have the Committee's report by the end of 2009. The committee should investigate what Chelmsford needs to do to get its own representative. He would like research done on what actions other communities have taken, and what options are available at the local and state levels.

Water District Discussion

The Board would like some research done on whether the Town should become more involved in how the water districts are managed in Chelmsford. The legislature and water takers would need to become involved in deciding if the 3 current districts need to be consolidated, or monitored more strictly by the Town. Such action may save money for water takers, and may

eliminate duplications and inefficiencies in having three separate entities. The Board would also like to know if the districts have any plans to deal with the long term depletion of aquifers.

Other Business

Mr. Cohen reported that discussion have begun regarding the possibility of regionalizing dispatch services, possibly at the Sherriff's Department level.

Selectman Eliopoulos would like to see research on creating a bylaw to deal with abandoned buildings, including timelines, security measures, and appearances.

Adjournment

> **Motion:** By Selectman Jeannotte to adjourn at 9:05PM, seconded by Selectman Wojtas. Unanimous.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

APPROVED January 26, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd
Chelmsford, MA 01824

Work Session
January 20, 2009

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
William F. Dalton, Selectman
Eric Dahlberg, Selectman

Paul Cohen, Town Manager

5:45PM
Chairman Eliopoulos called the meeting to order.

Village Grille

Mr. Cohen reported that Village Grille has requested approval for a one-day extension of operating hours.

> **Motion:** By Selectman Jeannotte to approve the extension of operating hours for Village Grille until 1:00am on Friday evening, January 23. Seconded by Selectman Wojtas. Motion carried, 5-0.

Billboard Update

George Zaharoolis updated the Board on the activities of the Planning Board sub-committee, which is working on drafting a Billboard bylaw. He noted that the committee has identified three possible areas where billboards may prove acceptable, according to guidelines provided by the Outdoor Advertising Board, and subject to other conditions and restrictions. The sub-committee will be making a report to the full Planning Board on January 28, after which time he expects to forward the proposed bylaw to other boards for comment, prior to conducting a Public Hearing in February.

Budget Update

Mr. Cohen reviewed the summary of the FY09 budget, showing all fixed costs, and variable costs by department. He reiterated previous comments regarding the status of local receipts and possible local aid reductions to be made by the Governor. The total budget deficit could be as much as $2.5 million. He reported that few additional expense reductions have been identified, and most additional cuts will result in loss of personnel. He reviewed staffing in each department, and noted where he expects to achieve necessary reductions.

Mr. Cohen stated that he has met with the Superintendent and Business Manager from the School department to prepare them for the level of reductions that will be required.

When the level of required cuts has been determined, Mr. Cohen reported that a Special Town meeting should be convened to formalize adjustments for each department.

Mr. Cohen reported that the budget for FY10 will most likely require even further cuts than those proposed to bring FY09 into balance.

Mr. Cohen reviewed estimated revenue that could be achieved for the Town resulting from implementation of features proposed as part of the Municipal Relief Act. He noted that approximately $1.5 million could be raised from meals, hotel/motel, and telecommunication equipment taxes. An additional $1.0 million savings could be realized by modifying the health insurance plan currently in place for employees.

Adjournment

> **Motion:** By Selectman Jeannotte to adjourn at 8:10PM. Seconded by Selectman Wojtas. Motion carried, 5-0.

Respectfully Submitted,

Pat Wojtas, Clerk of the Board of Selectmen

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
January 26, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Winterfest 2009 – Boy Scout Troop 77 & Brownie Troop 215**
- **Arts and Technology Education Fund**

Open Session

Scheduled Business

7:30 p.m. Planning Board - to appoint Alternate Member

7:35 p.m. Village Grille – Extension of Hours

7:40 p.m. National Grid Ice Storm Report

7:55 p.m. Emergency Management Ice Storm Report

8:00 p.m. Public Hearing – Expansion of Storage Capacity, 1 Ward Way

. **Town Manager Appointments**
- Deputy Constables

Town Manager Reports
- List of Town Meeting Warrant Articles

BOS Meeting Minutes

- BOS Regular Meeting Minutes November 24, 2008
- BOS Regular Meeting Minutes December 8, 2008
- BOS Work Session Minutes December 15, 2008
- BOS Regular Meeting Minutes January 5, 2009

Unscheduled Business

- Chapter 40B Reform – Lawyer's Committee for Sensible Housing Policy
- Aggregate Industries

***** This meeting is televised. *****

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: February 9, 2009

APPROVED January 26, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

January 26, 2009

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

7:00PM
Chairman Eliopoulos called the meeting to order.

Public Service Announcements

1) **Winterfest 2009**
Girl Scout Troop 215
Kelly Thomas, troop leader, spoke on behalf of GS Troop 215 to announce their "Pink Ladies Malt Shop" event on Saturday, February 7, 2009. They will be serving a lunch menu, designed on a 1950's Diner theme. The event will run from 11AM to 2PM at the Central Baptist Church, and will include games, trivia, costumes and music.

Boy Scout Troop 77
David Souza, Chairman of Troop 77, spoke on behalf of BS Troop 77 to announce their activities both at Roberts Field and Chelmsford Common. Events will include skiing, skating and hot chocolate at Roberts Field. Events on the Common will include sled and Klondike races, a snowman building contest, and clam chowder for sale. These events will both be held on Saturday, February 7, 2009, from 10AM-3PM.

A general announcement was made to remind people that Winterfest will start on February 6, 2009, at the Adams Library, with multiple events in several locations on February 7 & 8 as well.

2) **Arts and Technology Education Fund**

Evelyn Thoren spoke on behalf of the Fund organizers. She thanked Town Meeting Representatives, Mr. Cohen and others who have supported the program in the past. Funds raised by the group are awarded as grants to teachers and school council members to use for support and assistance with curriculum projects and programs for students. All money received is donated by residents, generally using a form attached to excise and real estate tax bills. Although the fund is overseen by the Town, it is not part of the Town budget. Applications can now be done by e-mail. Awards can range from $200.00 to $750.00.

Open Session

No one came forward at this time.

Town Manager Appointments

Constable William Spence submitted a list of 8 individuals for appointment as Deputy Constables.

> **Motion:** By Selectman Jeannotte to approve appointments for the following individuals to serve as Deputy Constables:
> John J. MacGilvray, 234 Main St., Chelmsford
> Thomas J. Buntel, 188 Dunstable Rd., No. Chelmsford
> Judith Goffin, 19 Cathy Rd., Chelmsford
> Kevin Whippen, 168 Groton Rd., No. Chelmsford
> Francis Fraine, 24 Floyd St., Billerica
> Ken White, 22 Mt. Auburn, Chelmsford
> Kieran Lennon, 5 June St., Dracut
> Jean Blodgett, 190 Boston Rd., Chelmsford
> Seconded by Selectman Wojtas. Motion carried, unanimous.

Town Manager Reports

1. Mr. Cohen reported that there will likely be a light warrant for Spring Town Meeting. Included will be the budget articles, CPC transfers, and several proposed bylaw amendments. He noted that no citizen petition articles were submitted.

2. Mr. Cohen reported that there will be a Public Input Session held on February 2, 2009 at the police station for the Chelmsford Housing Authority's proposals for North Chelmsford Town Hall and Old Town Hall in Chelmsford Center.

3. Mr. Cohen reported the need for a Special Town Meeting, possibly to be held on March 9, 2009 to consider transfer of property and allocation of CPC funds for the Chelmsford Housing Authority proposals. Mr. Cohen would also like to handle required FY09 Budget Adjustments at this meeting.

4. Mr. Cohen reported the details of the Governor's FY09 local aid cuts, which include a reduction of $615,270.00 for Chelmsford. Full details for Fiscal Year 2010 are to be announced on January 28, 2009. He reported that the Snow and Ice budget is already exhausted, and local receipts will be approximately $1.1 million below original estimates. Mr. Cohen will be meeting with School and all other Department heads to discuss how they will handle a $2 million dollar shortfall over the next 5 months. Mr. Cohen foresees asking to use the Stabilization fund, and may need to do layoffs as early as January 31, 2009. He noted jobs being cut at businesses like Kronos and Brooks Automation.

5. Mr. Cohen reported that he received an email today asking municipalities to prepare to prioritize their top three projects that may be eligible for Federal Stimulus No guidelines have been given to indicate how those projects should be chosen.

Joint Meeting with Planning Board to appoint a new Alternate Member

The joint meeting with the Planning Board was called to order. Planning Board members present were Chairman Pam Armstrong, Susan Carter Sullivan, George Zaharoolis, Jim Lane, Ann McGuigan, and Colleen Stansfield.

Michael Raisbeck, 85 High St. came forward to explain why he wished to serve on this Board. He has been in town since 1983, has sat on the Charter School Board, been a Town Meeting Representative, and now wishes to serve in this capacity. He has background in law and engineering, and experience in land use. If appointed, he will pull papers for the next full term.

> **Motion:** By George Zaharoolis to nominate Michael Raisbeck to the position of Alternate Planning Board Member. Seconded by Selectmen Dalton.
>
> **Motion:** By Selectman Jeannotte to close nominations, seconded by Selectman Wojtas. Motion carried, unanimous.

Roll Call Vote to approve appointment of Michael Raisbeck to the position of Alternate Member to the Planning Board:

Selectman Dalton: Aye
Selectman Wojtas: Aye
Chairman Eliopoulos: Aye
Selectman: Jeannotte: Aye
Selectman: Dahlberg: Aye
Ms. Stansfield: Aye
Mr. Lane: Aye
Mr. Zaharoolis: Aye
Ms. Sullivan: Aye
Ms. Armstrong: Aye
Ms. McGuigan: Aye

> **Motion:** By Ms. Sullivan to adjourn the Joint Meeting, seconded by Ms. Armstrong. Motion carried, unanimous.

Village Grille-Extension of Hours

Ms. Pauline Curtis spoke on behalf of the Village Grille, LLC. They would like to extend their hours of operation to accommodate live entertainment and private functions as needed.

> **Motion:** By Selectman Jeannotte to approve extended hours of operation for the Village Grille, LLC from 7AM to 1AM, 7 days/week. Seconded by Selectman Wojtas, Motion carried, unanimous.

National Grid Ice Storm Report

Carmine Luongo, Account Manager for National Grid for the Town of Chelmsford, and John McNamara, Manager of Overhead Lines for the Merrimack Valley were present to address the

Board. Mr. Luongo began by stating that considering the magnitude of this storm, the widespread power outages, downed trees and other obstacles, he felt National Grid did a commendable job of restoring power after the storm. They needed to call in crews from 20 states and Canada, and had everyone restored by December 17, 2008. Their primary concern was for the safety of the public and their own employees. He thanked the Police and Fire departments, the DPW and the Town Manager's office for their input, as they were very helpful. Over 85% of their customers in Chelmsford were without power at the height of the storm. Graphs were presented showing restoration points for Chelmsford and New England as a whole by time and day. He estimated the restoration effort included 3500 workers, 7000 employees and contractors, and they fielded over 190,000 telephone calls.

Mr. McNamara stated this storm was the worst he has seen in this area. Ice buildup was heavy on lines and trees. Their first order of business was restoring substations to main lines. There were 5 in North Chelmsford, and 5 more outside Chelmsford, that feed into the town. Their second priority was to circuits and feeders. The third priority was to restore critical functions such as hospitals, police and fire locations, schools, pump stations and Red Cross locations. Next they handled single and 3 way side taps, and then single transformers, and finally, single customers. They had 120 crews in place on Thursday night, and requested mutual aid from all over the East coast.

Mr. Luongo addressed communication among the various towns and cities they were working with. Mayors and town Managers were given regular updates via conference calls. A Municipal Storm Center was handling calls from individuals. He acknowledged storms like this do not happen often, and he is open to feedback, as the restoration process is ever-evolving, and each storm presents them with lessons learned.

Mr. Cohen requested a follow-up meeting with officials to discuss downed wire procedures, police details and working with the DPW to make future events run more smoothly. Mr. Cohen asked about a more organized community response vs. a system wide response, as there were several elderly housing complexes without power for up to 5 days.

Some obstacles confronting National Grid included the severe devastation to trees and lines, housing, feeding and directing crews not familiar with the area, a "spring back" effect from trees that would damage lines a second time, and the accuracy of predicting when power would be restored to a multitude of areas.

Selectman Wojtas noted that she heard several reports of residents who checked the National Grid website to determine when power was restored to their homes, but found that the information was not correct. Mr. Luongo stated that they are working on a pilot software program which eventually will be able to track when power has been restored to individual locations, but it is not completely working yet.

Selectman Jeannotte asked about National Grid's tree trimming program. Mr. McNamara explained that tree trimming procedures work on a 5 year cycle. They try to remove and replace dying trees, and occasionally must work with customers who do not wish to have trees on their property altered. Constant surveillance is done, and they work with arborists and local tree wardens. Customers are encouraged to call the company with particular concerns.

Selectman Jeannotte asked Mr. McNamara to explain the level of responsibility of National Grid and the individual homeowner regarding repair of downed and damaged wires. Mr. McNamara

explained that wiring from the pole to the service attachment on a building is National Grid's responsibility. Wiring from the service attachment to the box in the building is the customer's responsibility.

Selectman Dahlberg noted that concerns were raised that communication was not accurate and people upset about being on hold for long periods of time.

Selectman Dalton suggested that putting lines underground would alleviate many of the problems faced during this storm, and was told this is a very expensive process.

Fire Chief Jack Parow expressed his displeasure with communication, as pump stations were running on generators for 7 days, and there were water pressure concerns. He reported that he did not see many crews in Chelmsford until the third day after the storm. Police Chief Jim Murphy agreed it was difficult to give immediate, accurate information without knowing the extent of the damage, but the Code Red system most likely alleviated some people's concerns. DPW director Jim Pearson requested an annual meeting updating priority areas to prepare for the next time a storm like this occurs. Mr. Luongo offered his cell phone number as a contact person, and asked for consideration as his company was dealing with a multitude of towns and cities, all with the same concerns.

Emergency Management Ice Storm Report

Police Chief Jim Murphy, Fire Chief Jack Parow, Walter Hedlund, Director of Emergency Management, and Jim Pearson, DPW Director were present. Mr. Cohen welcomed them, and was proud of the way all town employees came together to get everyone through this event. The town experienced heavy tree damage and downed wires in which 40% of the roads were obstructed. Mr. Cohen was surprised to learn that none of the elderly housing developments had backup generators. Thirty eight people used the senior center shelter, which seemed to indicate people preferring to shelter at home. The Code Red system was very effective. Local radio and newspapers supplied daily reports of the restoration progress. They would like to consider setting up an alternative telephone number for non-emergency calls. They suggested setting up an in-town shelter strategy. Tree maintenance may need to be stepped up. Chief Parow indicated he has a list of things to work on. Selectman Dalton stressed that all of these departments are understaffed, and were still able to come through. Chief Murphy used this storm as an example of why more people should consider keeping accurate contact information in the Code Red system. The DPW will be announcing plans on dealing with a lot of debris after the snow thaws.

Public Hearing-Expansion of Storage Capacity, 1 Ward Way

Ed Maloney spoke for the applicant, JP Rivard Trailer Sales, Inc. The applicant wishes to increase the permitted amount of trailers stored in their lot from 160 to 250. First Student is no longer storing their buses there, so the current lot has adequate space on the nine acre lot.

Chairman Eliopoulos announced that this was a public hearing, and asked for comments from the public. No one came forward to speak.

> **Motion:** By Selectman Jeannotte to close the public hearing. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to approve increasing the number of trailers to be stored on the existing parking lot at 1 Ward Way, from 160 to 250, as permitted on the JP Rivard's Class One Dealer's License. Seconded by Selectman Wojtas. Motion carried, unanimous.

BOS Meeting Minutes

Motion: By Selectman Jeannotte to approve the regular meeting minutes of November 24, 2008, as presented. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to approve the Regular Meeting minutes from December 8, 2008, as presented. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to approve the Work Session Meeting Minutes of December 15, 2008, as presented. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to approve the Regular Meeting minutes of January 5, 2009. Seconded by Selectman Wojtas. Motion carried, unanimous.

Chapter 40B reform

Selectman Wojtas explained the relationship of the Lawyer's Committee for Sensible Housing Policy to the Mass. Coalition for Affordable Housing MCAH), and that the proposed legislation is supported by both groups. The Board agreed to hold off on any formal support until a later time. MCAH is building support, and the Board agreed Chelmsford generally supports the initiative as a community.

Aggregate Industries

Chairman Eliopoulos will draft a letter to be sent to Aggregate Industries, requesting that the company comply with suggested conditions to address neighborhood concerns. Selectman Wojtas suggested including a request that the company use a masking agent to alleviate the smell of their product in the neighborhood. Chairman Eliopoulos requested that any other changes should be sent to him within 2 days, and he will send the final draft within one week. The Board approved Selectman Jeannotte's request to forward Mr. Cohen's compilation document to DEP.

Selectmen Referrals

Selectman Dalton:

1) He noted that abatement requests to the Board of Assessors are down from last year.

Selectman Wojtas:

1) She suggested that anyone wishing to attend the "Three Cups of Tea" author's event at the High School during Winterfest, get there early, as this appears to be a popular event.

Selectman Jeannotte:

1) She asked Mr. Cohen if the Chelmsford Housing Authority's request for funding under the Federal Stimulus program would conflict with the Town's items also requested under the same program. Mr. Cohen explained the housing authority's request was seen as a state project, not a town project.
2) She reported attending the MMA Conference, and found it informative.
3) She questioned if morale at Town Hall was being affected by the impending cutbacks. Mr. Cohen explained people are concerned but working together as well as possible. He hopes to clarify his actions at Thursday's Tri-Board Meeting.

Selectman Dahlberg:

1) He attended the Aspen Apartments Public Hearing in Billerica. About 30 people were there from Chelmsford. The hearing has been continued until February 4, 2009, at 8:30PM.

Selectman Eliopoulos:

1) He reported that the Community Preservation Committee voted in favor of supporting Chelmsford Housing Authority's two proposals for developing North Chelmsford Town Hall and Old Town Hall in Chelmsford Center. A televised Public Hearing is scheduled for February 2, 2009, at the Police Station, at 7PM. The Board can decide at the February 9th meeting whether a Special Town Meeting should be called.
2) There will be a televised Joint Meeting at the Senior Center on Thursday, January 29, 2009, at 7PM.

Press Questions

Rita Savard, Lowell Sun asked how many elderly housing facilities were without power after the December 11 storm. She also asked how Mr. Cohen was thinking about pursuing a requirement for all such facilities to have backup generators. Mr. Cohen answered that state legislation is the probably the most logical way to proceed. Ms. Savard was directed to the Housing Authority to find out how many residents lived in the elderly housing developments. In regard to medical emergencies during the storm, there was one incident due to improper use of a generator.

Adjournment

Motion: By Selectman Jeannotte to adjourn the meeting at 9:45PM. Seconded by Selectman Wojtas. Motion carried, unanimous.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES, Tri-Board meeting
Thursday, January 29, 2009
Senior Center
75 North Rd.
North Chelmsford, MA

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Clerk
William F. Dalton, Selectman
Eric R. Dahlberg, Selectman

Paul Cohen, Town Manager
John Sousa, Town Treasurer
Darlene Lussier, Town Accountant

Finance Committee Members Present: Dwight Hayward, Jon Kurland, Dave Turocy, Mary Frantz, Donald Van Dyne, Vinnie Villano, John McIlvenna

School Committee Members Present: Kathy Duffett, Angelo Taranto, Evelyn Thoren, Kevin Porter, Christina Walsh

Others present: Superintendent of Schools Dr. Donald Yeoman, School Business Manager Robert Cruikshank; State Representatives Cory Atkins, Thomas Golden, and James Arciero

Chairman Eliopoulos called the meeting to order at 7:05PM. He stated that the purpose of tonight's meeting is to introduce the FY10 budget, and to address midyear changes to the FY09 budget.

Mr. Cohen introduced Darlene Lussier to discuss revenue and expense issues with the current FY09 budget.

Ms. Lussier explained that the Town's motor vehicle excise tax was originally budgeted at $4.1 million, but has been revised downward to $3.675 million, which leaves a $500,000.00 deficit in this category. Fines and Forfeits were budgeted at $309,000.00, but due to lack of manpower, this has been adjusted to $169,600.00. Returns on investments are adjusted down to $450,000.00 from $775,000.00. State funding is being reduced by $615,561. Overall, the FY09 projected shortfall will be $1,630,561.00.

All departments are doing very well managing their expenses. Salary expenditures are on track. However, some budget items are projected to exceed original estimates. Snow and Ice removal has a $100,000.00 deficit as of today, and that does not include the storm from January 28, 2009. Ms. Lussier anticipates a $150,000.00 deficit for Health Insurance, a $50,000.00 deficit for Unemployment expenses, and a $400,000.00 deficit for snow and ice removal by the end of FY09.

Mr. Sousa explained the outlook for FY10. He estimates the base levy on property tax will generate an additional $2,122,401.00 in income. Chapter 70 aid is expected to be level funded. Other state funding is expected to be reduced by over $1.6 million (approximately 9.71%). Local receipts are expected to decrease by $1,919,095.00, or 24.33%. Available funds from the Wetlands Protection Act, School Construction & E-rate reimbursement, Sewer User fee offsets and Childcare revolving fund reimbursements will increase by $50,000.00. Total projected revenue will decrease by $1,390,398.00. Non-departmental budgetary increases for Health Insurance, Pension Assessment, Non-excluded Debt Service, Nashoba Tech and Charter Schools will be approximately $911,362.00. The total shortfall for FY10 is projected to be $2,301,760.00.

Mr. Cohen discussed how to move forward responsibly in this environment, while trying to maintain the Town's bond rating, and address long term planning. He stressed that implementing immediate cuts for FY09 would help for FY10. He proposed using up to $1.5 million from the stabilization fund to get through FY09. He has been working with all departments as the remaining deficit must be allocated across all of them, proportionally. The result is $487,000.00, or 2/3, to the school department, and 243,000.00, or 1/3, to the municipal side, based on their proportionate allocations in the budget. If the Governor's Municipal Relief Package is passed, he expects some potential income from meals and hotel taxes, health insurance savings and a Telecommunications Poles and Equipment Tax. Mr. Cohen expects to have more information about the Federal Stimulus Relief Package in about 3 weeks, which may also provide some relief.

Dr. Yeoman reviewed actions taken by the School Department to close budget gaps last year, including 44 positions that were eliminated, and a school that was closed. He is facing a similar deficit this year, and cannot close another school. There is not enough capacity in any of the schools to absorb another closing. The department has not filled any of the vacated positions during FY09. They have instituted bus fees to generate revenue. They have stopped purchasing new books, computer equipment, and most other general supplies. Custodial overtime is not being utilized, and legal advice will not be pursued as often. Training opportunities will not be available or funded. Field trips will cease.

Mr. Cohen announced he will start laying off people on January 30, 2009. Some employee groups have come forward with suggestions to avoid layoffs. He must still bear in mind priorities that cannot be cut. Among other steps, Town Offices will now close to the public at 4PM. He hopes to have a final FY10 budget completed within 10 days.

Mr. Cohen appealed to the several State legislators in the room that the Town needs more aid from the State. Economists have predicted that the recession could last another three years. The Town cannot afford to sustain continuing cuts of this magnitude for a long period of time.

Ms. Duffett stressed a need to review Chapter 70 funding, as Chelmsford does not get adequate funding from this source. Ms. Thoren is disturbed by not being able to offer students opportunities enabling them to compete on a global scale. Ms. Thoren suggested using a one time capital exemption for computers for the schools.

Chairman Eliopoulos feels raising revenue through additional taxes is not realistic. Any use of the Stabilization Fund would have to be approved by Special Town Meeting. He would like more consideration given to the GIC or Blue Cross health insurance alternatives, to free up revenues for other areas of need.

Mr. Villano asked what could be done to provide a more cost-effective insurance product. Mr. Cohen suggested contacting legislators to lobby for more control of insurance offerings. Representative Atkins explained she has received many postcards from teachers, specifically, asking her not to support the GIC initiative. She uses the GIC herself, and finds it works very well for her needs. The issue is that costs are less, but co-pays are typically higher. Representative Atkins stressed a goal should be to keep as many people working as possible, as no one knows when this recession will end. Mr. Cohen noted that laying off a person does not generate automatic cost savings, as some benefits carry on, and unemployment costs increase. Mr. Cohen noted that the Town currently insures 700 active employees, and 730 retirees.

Mr. Cohen was asked what cuts he is specifically making. He advised that he will discuss the final budget with the Board of Selectmen in a week, and layoffs would begin on January 30, 2009.

The School Committee was asked when their additional cuts would be made public. Dr. Yeoman stated the ongoing efforts at not replacing people or things, and not purchasing supplies and training resources showed they are reacting in an immediate fashion.

Mr. Cohen added that the Federal Disaster Assistance will help somewhat with the snow and ice removal deficit. He is eliminating several Town vehicles, and will provide a motor pool for automotive needs.

The Finance Committee wished to see actual figures for where savings were occurring.

Selectman Jeannotte suggested negotiating with Unions for a one year contract, rather than a three year contract. Representative Atkins suggested that all unions negotiate at the same table, to avoid duplication of effort, and so they all get the same information. She also suggested using conditional options, so if the economic picture improves for the Town, things improve for its employees as well.

PUBLIC INPUT

Sheila Pichette, Precinct 4 representative, feels schools, facilities and public safety are being dismantled. She asked how the town representatives as a group could help the

town. Mr. Cohen explained that more visibility at the State level, most easily done through telephone calls and letters would be the most effective way to help. Representative Atkins explained that finances are affected at the state level as well. She suggested a community outreach method, as safety comes from helping each other. Ms. Pichette asked that a list of who to call or write to be supplied on the Town's website.

George Ripsom, Precinct 4 representative, asked Dr. Yeoman how the schools were going to work on a $2.3 million deficit for FY10. Dr. Yeoman explained he is researching various solutions, including a 4 day week with longer hours, and potentially changing when school is open throughout the year.

Deborah Dery, Precinct 6 representative stated she is subscribed to a GIC type product, and notices many doctors and prescriptions are tiered. She also asked about temperature regulation in the schools. It was explained that this has proved difficult due to the way the buildings are designed. They strive to keep the average temperature at 67 degrees. Ms. Dery asked Representative Atkins if petitioning the state would work to help the Town. Representative Atkins explained that no one town or city is being punished, revenue is dropping everywhere. People need to think in ways they haven't before. In response to a question on the Senior Work program, Mr. Cohen explained he is working on ways to utilize this more fully.

Bob Joyce, 103 Turnpike Rd., suggested the Town follow Boston's lead in freezing wages. He asked Town officials to be firm with unions, and noted that he gets no choice in health insurance in his private sector job. Layoffs have been widespread everywhere.

Maria Karafelis, 26 Quigley Ave., agreed with Mr. Joyce's comments, and asked about consolidating houses at the high school level, and if grants are being pursued for solar energy for public buildings. Mr. Cohen is looking into various grant opportunities, and Dr. Yeoman felt consolidation would hinder discipline issues, and would not decrease the number of employees needed for the number of students at this school.

John Goffin, 19 Kathy Rd., asked about Union negotiation procedures.

Stratos Dukakis, Precinct 7 representative, suggested self-insurance and in-house pension handling for the Town. Mr. Cohen explained he has seen other towns try to handle these issues in-house, and it has not worked to the satisfaction of all parties. Some towns are looking to regionalize their operations.

Chairman Eliopoulos closed the meeting by stating a March 9, 2009 Special Town Meeting was likely, and reported the timeline for other board meetings. The Board of Selectmen will meet on February 9, the Finance Committee will meet on February 12. A Public Input session will be held on February 25. The State Budget is slated to pass the House in April, the senate in May, and potentially be complete in June. Hopefully, word will come about the Municipal and Federal Stimulus Relief packages soon, and another meeting could be scheduled at a later date. In the meantime they could research

alternatives to using the Stabilization fund, and could discuss procedural issues with future cuts.

Motion to adjourn the meeting at 9:50PM by Selectman Dalton, seconded by Selectman Jeannotte. Motion carried, unanimous.

Respectfully submitted,
Vivian W. Merrill
Recording Secretary

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, January 5, 2009 **Time:** 7:00 pm

Location: Town Offices (Name of Building) Room Number: 204

56 Billerica Road (Street Address)

Elizabeth F. Delaney — Town Clerk's Signature

Lucia Quinn 12/31/08 — Clerk/Bd. Member & Date

ings of Town Departments and all Town

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Write Jessica

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, January 12, 2009 **Time:** 5:30 pm

Location: Town Offices Room Number: 201 1

Name of Building

50 Billerica Rd

Street Address

Elizabeth H. Delmey

Town Clerk's Signature

Jessica Lynn 12/2/08

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Work Session ✓

Name Of Department or Board: Board of Selectmen

Date of Meeting: Tues. January 20, 2009 **Time:** 5:30 pm

Location: Town Offices Room Number: 201

Name of Building

50 Wellington Rd

Street Address

Elizabeth A. Delaney

Town Clerk's Signature

[illegible] 1/16/09

Clerk/Bd. Member & Date

no agenda

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday January 26, 2009 **Time:** 7:00 PM

Location: Town Offices Room Number: 204

Name of Building

56 Bellevue Rd

Street Address

Elizabeth H. Delmey

Town Clerk's Signature

Tuesday 12/30/08

Clerk/Bd. Member & Date

.order

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Joint w/ Planning ✓

Name Of Department or Board: Board of Selectmen Board

Date of Meeting: Monday Jan 26, 2009 **Time:** 7:30 pm

Location: Town Offices Room Number: 24
Name of Building

50 Billerica
Street Address

Elizabeth K Delaney 12/30/08

Town Clerk's Signature Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen Budget Town Meeting

Date of Meeting: Thurs, Jan 29, 2009 **Time:** 7:00 pm

Location: Senior Center Room Number: hall

Name of Building

75 Cedar Rd

Street Address

Town Clerk's Signature

Clerk/Bd. Member & Date 12/17/08

FEB 09

CHELMSFORD BOARD OF SELECTMEN
Work Session Agenda
February 2, 2009

Town Offices
50 Billerica Rd.

6:45 p.m. Call to Order

Scheduled Business

- One Day Beer & Wine License – St. John the Evangelist, Sat. Feb 7, 2009
- Common Victualer License – Home Plate Diner

Next Regular Meeting: February 9, 2009

APPROVED January 26, 2009

Town of Chelmsford
Board of Selectmen Minutes
Police Station
Chelmsford, MA 01824

Work Session
February 2, 2009

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
William F. Dalton, Selectman
Eric Dahlberg, Selectman

Paul Cohen, Town Manager

6:45PM
Chairman Eliopoulos called the meeting to order.

St. John the Evangelist Church

Mr. Cohen reported that St. John the Evangelist Church has requested approval for a one-day All Alcohol license.

> **Motion:** By Selectman Jeannotte to approve a one-day All Alcohol license for St. John the Evangelist Church for Saturday, February 7, 2009, from 7:00pm to 12:00am. Seconded by Selectman Wojtas. Motion carried, 5-0.

Home Plate Diner

Mr. Cohen reported that Home Plate Diner has requested approval for a Common Victualer license.

> **Motion:** By Selectman Jeannotte to approve a Common Victualer license to Tammy Bernier for Home Plate Diner, hours of operation 6:00am to 3:00pm weekdays, 7:00am to 2:00pm Sunday, with seating capacity of 36. Seconded by Selectman Wojtas. Motion carried, 5-0.

CDBG Support letter

Selectman Wojtas requested that the Board vote to approve a letter of support for Chelmsford's application for a Community Development Block Grant.

> **Motion:** By Selectman Jeannotte to approve sending a letter of support to be included in the application package for the CDBG. Seconded by Selectman Dalton. Motion carried, 5-0.

Adjournment

Motion: By Selectman Jeannotte to adjourn at 6:55PM. Seconded by Selectman Wojtas. Motion carried, 5-0.

Respectfully Submitted,

Pat Wojtas, Clerk of the Board of Selectmen

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
February 9, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Hall of Fame Announcement - March 14, 2009**
  George Simonian

Open Session

Scheduled Business

7:30 p.m. Conservation Commission Appointment

7:40 p.m. St. Vartanantz One Day All Alcohol License, Feb. 21, 2009

7:45 p.m. Pole Petition – Harding Street

7:50 p.m. David Hedison – CHA Proposal

8:00 p.m. Peggy Dunn – Preliminary Plan for Alternative use of Center Town Hall

Special Town Meeting – March 9, 2009

Town Manager Reports

- Draft Annual Town Meeting Warrant Articles
- Fiscal Year 2009 and Fiscal Year 2010 Budgets

BOS Meeting Minutes

- BOS Work Session Minutes January 12, 2009
- BOS Work Session Minutes January 20, 2009
- BOS Regular Meeting Minutes January 26, 2009
- BOS Work Session Minutes February 2, 2009

Unscheduled Business

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: February 23, 2009

***** This meeting is televised. *****

Approved 3/23/09

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Work Session
February 9, 2009

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
Eric Dahlberg, Selectman,
William F. Dalton, Selectman

Paul Cohen, Town Manager
John Sousa, Town Treasurer

5:38PM
Chairman Eliopoulos called the meeting to order.

Tax Foreclosure

Mr. Sousa spoke before the Board, requesting a motion to vacate a foreclosure decree on a resident for non-payment of property taxes from 2006, 2007, and 2008. The resident has come forward with a bank certified check for all back taxes, current taxes for 2009, interest and legal fees.

> **Motion:** By Selectman Jeannotte to vacate the final judgment covering the tax taking made against the owner of the property at 360 Littleton Rd., Unit 1H upon payment of all taxes, interest and charges as provided under MGL c. 60, section 69. Seconded by Selectman Wojtas. Motion carried, unanimous.

Cafe Madrid Keno

Mr. Cohen reported receipt of a letter from Café Madrid requesting a Keno license. This will require a public hearing within 21 days if the Town wishes to contest the license.

Smith St. Easement

Mr. Cohen asked Board members to sign required paperwork for an easement granted on Smith St.

Budget Update

Mr. Cohen provided copies of the FY09 Budget Adjustments and FY10 Budget Overview to Board members. Mr. Cohen showed areas where he is trying to reduce the deficit and use of the stabilization fund. Mr. Cohen is still waiting to hear from Dr. Yeoman and Bob Cruikshank of the School Department on what their adjustments will entail. Selectman Dahlberg stated that he

would like to see actual amounts of adjustments, not just savings the school department has created by not purchasing certain things.

> **Motion:** By Selectman Jeannotte to authorize Mr. Cohen to inform the School Department that the Board of Selectmen is requesting an accounting of additional savings and cuts to minimize use of the Stabilization fund. Mr. Cohen is also authorized to ask the School Department to approach the adjustments using the same methodology employed on the Municipal side of the budget. Seconded by Selectman Wojtas. Motion carried, unanimous.

The proposed FY2010 budget uses no cash reserves; it is a conservative budget, and does not rely on potential income from meals/hotel/telecommunications equipment taxes. Mr. Cohen reviewed staffing and considerations for each Town Department as a category. He noted that the Library portion of the budget as presented is below levels required to maintain state certification. He reported that information on funding from the State and the Federal Stimulus programs is still changing daily.

Mr. Cohen reported that premiums for health insurance will increase by 2.6%. Pension requirements will remain fixed until 2010.

Nashoba Breakfast

Mr. Cohen announced that Nashoba Technical School is hosting a breakfast meeting on Friday, February 27, 2009 at 8AM, at the school. The Board of Selectmen, Town Manager, and Finance Committee are all invited to attend.

Adjournment

> **Motion:** by Selectman Dalton to adjourn the work session at 6:48PM, seconded by Selectman Jeannotte. Motion carried, unanimous.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Approved 3/23/09

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

February 9, 2009 - Regular Meeting

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

7:00PM
Chairman Eliopoulos called the meeting to order.

Public Service Announcements

1. **Hall of Fame Announcement -** George Simonian announced the 19th annual Hall of Fame Induction to be held on March 14, 2009 at the Radisson Hotel in Nashua, NH beginning at 5:30PM. The Proclamation listed 9 inductees, and Mr. Simonian listed each one's accomplishments. The Lucy E. Simonian Award winner was also announced. A formal copy of the Proclamation was presented to Mr. Simonian.

2. **Public Input Session -** Chairman Eliopoulos announced there will be a Public Input Session held at the Chelmsford Senior Center on February 25, 2009 at 7PM. There will also be a brief tri-board meeting to discuss the budget status, which will include the School Committee and Finance Committee. Topics for the Public Input Session will include, but not be limited to, possible uses for the Lewis Property, Regionalization of Services, FY 2010 Budget, Affordable Housing and any other questions, ideas or concerns.

Open Session

1. Bernie Ready, 31 Clover Hill Drive, asked the Board not to put the article related to Old Town Hall on the warrant for Special Town Meeting. He feels this building is Chelmsford's Faneuil Hall. It is the main part of Chelmsford Center. He asked people not to panic in bad times.

2. Regina Jackson, Essex Place, spoke as the Veterans' Agent, and felt the Chelmsford Housing Authority was indeed thinking about the future, and supports the proposals. She worked in the old Town Hall for 11 years, feels it has been underutilized, and has lead paint issues. The Food Pantry can be easily moved to a better suited and larger facility at the Westlands School. Music, theatre and opera groups can use the Performing Arts Center, which is currently underutilized.

3. Susan Gates, Trotting Rd., stated this is not an unused building. It should be a cultural center. A theatre group wishes to move back in April, the Community Band wants to

return, as the acoustics in the Town Gym are horrible, and the Chelmsford Art Society would like to run shows, classes and meetings here. She handed out copies of letters received. She noted preservation restrictions exist on the building, and there is money still available under certain conditions.

4. Dennis Ready, 16 Parkhurst Rd., suggested that this is not the right building for Mr. Hedison's proposal. Mr. Ready knows of several commercial ventures that would be willing to rent some space on the first floor of Old Town Hall. The building has survived other recessions, and should be allowed to remain a community building.

5. Shelly Constantino stated that both North Chelmsford Town Hall and Center Town Hall are historical buildings, and have been available to the public for 150 years. They cannot be replaced if they are sold. She asked the Board not to give in to pressure to do this. Given more time and research, she feels rental income and donations will enable the buildings to remain public buildings. She would rather see other abandoned buildings converted to housing, and listed several.

6. Eric Saleno, 8 Western Ave., feels the historical and cultural importance of the North Chelmsford Town Hall cannot be underestimated. Alternatives are available. Once this is done, you cannot take it back. This proposal is being rushed. He would like to see a committee formed that will look at alternate uses appropriately.

7. Karen DeSeward, Precinct 7, asked what the process would be if the proposals are accepted. Chairman Eliopoulos explained that Mr. Hedison was here tonight to request a special town meeting to acquire the buildings. At the meeting, each proposal would be voted on individually. A 2/3 vote would be required for each proposal to pass. If passed, the Board of Selectmen would vote whether to grant an option to the Chelmsford Housing Authority subject to funding by a certain date.

8. Heather Gardner, Sherman St., would like both buildings to remain community centers. She works in human services, and knows the need for housing is great. But these proposals are for units that are too small. Better spaces can be found for veterans and single people looking for housing. She is willing to work with interested parties to find better locations for housing of this type.

9. Gabe Garavanian, Garavanian Travel, 40 Vinal Square, owns the parking lot that is currently leased to the Town for $1.00 for use as municipal parking. There is no room for expansion of this lot because of the wetland next to it. He did not authorize 8-10 spots for parking at North Town Hall. There is not enough room for more residents in this area.

10. George Merrill, Precinct 2, Dunstable Rd., noted that he had clearly expressed his views at the February 2nd public input session. He still feels this is an ill conceived project, not a good use of this property. He questioned if Article 4 of the Town Meeting Warrant would change how the vote is done.

Conservation Commission Appointment

Motion: By Selectman Jeannotte to approve the Town Manager's appointment of Beth Logan, 36 Lovett Lane, to serve on the Conservation Commission. Seconded by Selectman Wojtas. Motion carried, unanimous.

St. Vartanantz One Day All Alcohol License
Ara Jakaveria was present to answer questions.

Motion: By Selectman Jeannotte to approve a One Day All Alcohol License for St. Vartanantz Church for February 21, 2009, from 5:30PM to 11PM. Seconded by Selectman Wojtas. Motion carried, unanimous.

Pole Petition-Harding Street
Joseph Gleason was present on behalf of Verizon for questions. A plan was submitted for a new pole on Harding Street. Chairman Eliopoulos stated that this was a Public Hearing, and asked for public input. There were no public comments.

Motion: By Selectman Jeannotte to close the public hearing. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to approve Pole Petition #37, dated January 20, 2009, for 1 pole on Harding St. Seconded by Selectman Wojtas. Motion carried, unanimous.

BOS Meeting Minutes

Motion: By Selectman Jeannotte to approve the Work Session Meeting minutes of January 12, 2009, as presented. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to approve the Work Session Meeting minutes of January 20, 2009, as presented. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to approve the Regular Meeting Minutes of January 26, 2009, as presented. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to approve the Work Session Meeting minutes of February 2, 2009. Seconded by Selectman Wojtas. Motion carried, unanimous.

David Hedison-CHA Proposal
Mr. Hedison stated he has lived in town for most of his life, and questioned how Chelmsford was going to deal with housing and "smart growth" initiatives. The North Chelmsford Town Hall has been vacant for 20 years, the building needs a mission. He has received support from the Fire Department next door, who have offered use of their parking spaces, rather than see the building continue to decline. The feasibility study indicated that overflow parking could be used in the nearby municipal lot, which can be used by anyone. He is trying to be pro-active, as 40B developments are not an answer for the situations he sees each day.

Mr. Hedison asked the Board for support of two proposals at a Special Town Meeting on March 9, 2009. Mr. Hedison is prepared to work on funding for both proposals. He does not want to see either building continue to deteriorate. If the Town has plans for the buildings, and the proposals are rejected, he is ready to accept that. Selectman Dalton disclosed that his wife, Linda, does work for the Chelmsford Housing Authority, but she is not involved with this project, nor is her salary affected by this project.

Selectman Jeannotte explained she has not received information about sources of funding as requested. Mr. Hedison cited 4 sources of potential State funding, in addition to taking out a $400,000.00 mortgage for the Center Town Hall project, and a $150,000.00 mortgage on the North Town Hall project, and additional contributions from the Housing Authority. Preservation and housing bidding would be in compliance with Chapter 149 sub-bids. The Town will see $100,000.00 in permit fees, and $300,000.00 in capital improvements. Selectman Dahlberg questioned how the project would affect the preservation restrictions on Center Town Hall. Mr. Hedison explained he has read the 3 page document, and is prepared to work to comply with it.

Selectman Jeannotte asked about the rush to get these buildings. Mr. Hedison explained that instead of 2 separate funding rounds from the State, there will only be one for 2009. Governor Patrick has put a priority on Housing Authority projects. Mr. Hedison has other means of funding, but Federal Stimulus money has earlier deadlines in March and May, hence the reason for the push.

Chairman Eliopoulos commended Mr. Hedison for his proposals, as well as the people that are coming forward with other ideas and options. Mr. Cohen announced that both buildings would be open to the public on Saturday, February 28, 2009. North Chelmsford Town Hall would be open from 9AM-10:15AM, and the Center Old Town Hall would be open from 10:30AM-11:45AM.

Peggy Dunn-Preliminary Plan for Alternate Use of Center Town Hall

Ms. Dunn presented the Board with letters for review. She has toured the Old Town Hall, and found it very clean. All the rooms and the auditorium were in very good condition. She would like some more time to prepare a better business plan to make this building a self-sustaining entity. Office space on the first floor could be leased out, as has been successful in the past. There would need to be many groups and volunteers to make this venture successful. Theatre or other performing arts groups could pay a flat fee, or a percentage of their revenue. Other activities could include concerts, auctions, antique road show events, lectures or special fund raising events. Research can be done about grant opportunities. She included information about the Roudenbush Center in Westford, and a similar center in Bedford. She included information from 1977, when the building was first being used for community events, after Town employees were relocated to the McFarlin School.

Mr. Cohen acknowledged that past theatre groups have tried to generate revenue in this building, and were not successful. He closed the building for the winter, to save on heating costs. Mr. Hedison was the first person to approach him with proposals that would stop these buildings from falling into disrepair. He has tried to be mindful of keeping rents reasonable for the types of groups using the building, but it has not been enough to keep up with maintenance and heating costs.

Selectman Jeannotte asked Ms. Dunn about a timeline. Ms. Dunn requested at least 2 months to put together a committee and a solid plan, and a year to give it a chance to work.

George Dixon came forward to ask the Board to delay their decision by 60 days. He praised Mr. Hedison as a talented individual, but there is strong opposition to this proposal. Selectman Dalton feels either both or neither of the projects should be done, as both buildings are important. Chairman Eliopoulos cited the constant struggle with what to do with the North Chelmsford building, as nothing has been successful there, and it is now being used for storage.

Special Town Meeting-March 9, 2009
Mr. Cohen presented the 6 warrant articles for the special town meeting to include amending the FY2009 budget, instituting a $30.00 demand fee for delinquent tax bills, requesting a transfer of stabilization funds to finance the rest of the current fiscal year. Article 4, which would lower the approval threshold for transfer of property used for affordable housing, will be removed and added to the regular Town Meeting warrant,. The final 2 articles are for the transfer of the town halls and approval of CPC funds toward the housing proposals as presented by the Chelmsford Housing Authority.

> **Motion:** By Selectman Jeannotte to post the Warrant for the Special Town Meeting on March 9, 2009, without Article 4. Seconded by Selectman Wojtas. Motion Carried, Unanimous.

Town Manager Reports

1) Mr. Cohen presented the text of the Warrant Articles for the April Town Meeting, and noted he would add Article 4 from the previous Warrant of March 9, 2009.

2) Mr. Cohen is looking for cost containment suggestions for running the polls for local elections. State statute requires the polls be open from noon-7PM. At present, polls are open from 7AM-8PM. He noted that reduction in hours may increase absentee voting.

3) Mr. Cohen is presenting the FY2010 Budget to the Finance Committee on Thursday, February 12, 2009. The School Department is expected to do their presentation on March 19, 2009. Mr. Cohen reiterated that funding for the schools will be down by $1.5 million.

4) Mr. Cohen received a letter from a representative for the Town of Tyngsboro to inquire if there was interest in regionalizing various services such as police/fire dispatch, Senior Center, Libraries, and some areas of Public Safety.

5) Mr. Cohen has received word from NMCOG that the NH Regional Transportation Commission has begun studying the expansion of the commuter rail from several New Hampshire cities to Boston via Lowell. Evan Belansky is investigating grant requests to study impacts to Vinal Square.

6) Police Chief Murphy's contract was renewed for 3 more years. Vacation time has been changed to Paid Time Off, and salary increases will be calculated the same as for other non-union personnel.

7) Ralph Hulslander's seat on the Nashoba Tech School Committee is up for appointment at the Board's March 23 meeting.

8) The Town has received an award from MIAA for Best in Wellness. The award was accepted last week.

9) Solar Panels will be installed at Adams Library by late spring. This is part of the Solar Energy Project being overseen by the Energy Conservation Committee. The library is hosting a Green and Clean Event on February 25, 2009 at 7PM. Fox 25 is also doing a "Zip Trip" on Town Common sometime in May.

Selectmen Referrals

Selectman Dahlberg:

1) He attended the latest hearing on Aspen Apartments in Billerica. There was no new activity to report.

Selectman Jeannotte:
No referrals.

Selectman Wojtas:

1) Winterfest was well attended, and had good weather.
2) She asked how the new hours at Town Hall were working out. Mr. Cohen explained he has received no complaints, and feels people understand why the hours were shortened, as similar actions have already been done in other towns.
3) She is interested in opening up discussion to create an Agricultural Commission.
4) She noted that Evan Belansky is preparing his opinion on Dan Hill's proposed 40B reforms for the Board's review.

Selectman Dalton:

1) He congratulated Mr. Cohen on his appointment to the MMMA legislative committee.

Selectman Eliopoulos:

1) He thanked Mr. Cohen for his professionalism on January 30, 2009, when personnel cuts were implemented.

Press Questions
Rita Savard, Lowell Sun, confirmed that there would be a Special Town Meeting on March 9, 2009, at 7:30PM at the Senior Center.

Adjournment

Motion: By Selectman Jeannotte to adjourn the meeting at 9:55PM. Seconded by Selectman Wojtas. Motion carried, unanimous.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
Work Session Agenda
February 17, 2009

Town Offices
50 Billerica Rd.

5:30 p.m. Call to Order

Scheduled Business

- **Café Madrid – Transfer of License/Change from Beer and Wine to All Alcohol License**
- **Infusions Bistro - Forfeiture of All Alcohol License**
- **John Sousa – MWPAT Loan Agreement - $2,938,008**

5:40 p.m. Executive Session – Litigation Status Update

7:00 p.m. George Zaharoolis – Billboard Subcommittee report

Unscheduled Business

- **Agricultural Commission**
- **Tow Contract**

Next Regular Meeting: February 23, 2009

Approved 3/23/09

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES – Work Session
Tuesday, February 17, 2009
Town Offices
50 Billerica Rd, Chelmsford

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Clerk
Eric Dahlberg, Selectman
Paul Cohen, Town Manager
John Sousa, Town Treasurer

Absent:
William Dalton, Selectman

5:30PM
Chairman Eliopoulos called the meeting to order.

Cafe Madrid

Mr. Cohen reported that, due to a technicality regarding the original posting for Cafe Madrid`s request for an alcohol license transfer, and change from Beer and Wine to All Alcohol, the Board must revisit the public hearing and vote taken earlier this year.

Chairman Eliopoulos stated that this was a Public Hearing, and asked for any public input. No one came forward.

> **Motion:** By Selectman Jeannotte to close the Public Hearing. Seconded by Selectman Wojtas. Motion carried, 4-0.

> **Motion:** By Selectman Jeannotte to approve the transfer of license for Cafe Madrid to Home of the Famous Cuban, LLC, and to change from Beer and Wine to All Alcohol license. Seconded by Selectman Wojtas. Motion carried, 4-0.

Infusions Bistro

Mr. Cohen reported receipt of a letter from the owner of Infusions Bistro stating that the restaurant closed as of December 27, 2008.

> **Motion:** By Selectman Jeannotte to accept the forfeiture of the alcohol license from Infusions Bistro. Seconded by Selectman Wojtas. Motion carried, 4-0.

MWPAT borrowing

Mr. Sousa reported that temporary borrowing required for the Town sewer project will now be transferred to permanent funding per the instructions of the Massachusetts Water Pollution Abatement Trust.

Motion: By Selectman Jeannotte to authorize the transfer of borrowing from temporary to permanent status, per the letter presented to the Board, dated February 11, 2009. Seconded by Selectman Wojtas. Motion carried, 4-0.

Adjournment to Executive Session

Motion: By Selectman Jeannotte at 5:45Pm to adjourn to Executive Session for the purposes of discussing Litigation and Collective Bargaining, to return to Open Session. Seconded by Selectman Wojtas. Roll Call:

Selectman Wojtas: Aye
Chairman Eliopoulos: Aye
Selectman Jeannotte: Aye
Selectman Dahlberg: Aye

Return to Open Session at 7:20PM.

Billboard Update

George Zaharoolis updated the Board on the activities of the Planning Board sub-committee, which is working on drafting a Billboard bylaw. He reported that, upon further investigation, several potential billboard sites are, in fact, not suitable for billboards, because they do meet all the requirements for state regulations. Mr. Zaharoolis asked for guidance for the board regarding moving forward with the bylaw. It was decided that the Planning Board should make a determination as to whether they are supportive of the bylaw. If so, a public hearing should be scheduled, and the bylaw included in the April Town Meeting warrant.

Agricultural Commission

A brief discussion was held regarding the request to consider including a warrant article in the April Town Meeting Warrant to create a local Agricultural Commission. It was noted that this commission could help manage the new Farmers Market and Community Gardens, which are currently being planned, as well as other agricultural initiatives.

Chairman Eliopoulos suggested continuing this discussion at the regular meeting on Monday, February 23.

Adjournment

Motion: By Selectman Jeannotte at 8:15PM to adjourn the meeting. Seconded by Selectman Wojtas. Motion carried, 3-0 (Selectman Dahlberg had left the meeting).

Respectfully Submitted,

Pat Wojtas, Clerk of the Board of Selectmen

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
February 23, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Proclamation – Town of Chelmsford Scholarship Month**
- **Introduction of Candidates for Selectman**

Open Session

Scheduled Business

7:30 p.m. Sichuan Palace – Change of Hours

7:35 p.m. Sunmotor Group – Green Vehicle

Town Manager Reports

- International Council for Local Environmental Initiatives (ICLEI)

BOS Meeting Minutes

- Tri-Board Meeting Minutes January 29, 2009
- Review / Release Executive Session Minutes
  - January 22, 2007
  - February 26, 2007
  - January 23, 2008
  - May 14, 2008
  - June 16, 2008
  - November 10, 2008

Unscheduled Business

- Agricultural Commission

Selectman Referrals

Press Questions

Executive Session

- Collective Bargaining

Next Regular Meeting: March 23, 2009

***** This meeting is televised. *****

Approved 3/23/2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

February 23, 2009

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

Call to Order
Chairman Eliopoulos called the meeting to order at 7:05PM.

Public Service Announcements

1. **Al Thomas, Rotary Club** - Mr. Thomas announced a concert by Beantown and Syncopation at the Performing Arts Center on March 6, 2009 at 8PM. Proceeds from the concert will benefit construction of a new cabin at the Paul Center.

2. **Proclamation-Town of Chelmsford Scholarship Month** - Linda Chemaly, President of the Scholarship Committee, thanked all past donors for their generosity. The fund has given awards since 1957, and gave 66 awards in 2008. The Scholarship Committee will be holding a fundraiser, "Dancing with the Stars" on Friday, April 24, 2009 at Princeton Station at 7:30PM. Ms. Chemaly announced the list of "stars" and the judges.

3. **Introduction of Candidates for Selectmen** - Candidates will have debate opportunities on February 24, 2009 on the Tom Christiano Show, on March 5, 2009 at the Radisson Hotel, sponsored by the Chelmsford Business Association, and on March 18, 2009 at the Chelmsford Police Station Community Room, sponsored by the League of Women Voters. The following candidates introduced themselves:

    1) George Dixon
    2) Matt Hanson
    3) Jim Murray
    4) Steve Roberts
    5) Sean Scanlon
    6) Donald Van Dyne

Open Session

1) Sal Lupoli, 47 Grandview, asked the Board to allow Town Meeting to vote on allowing Billboards. A pamphlet was given to Board members, explaining the benefits of billboards. He owns 8 billboards, and feels they would be profitable for the Town.

2) George Zaharoolis announced that the billboard discussion was scheduled for the Planning Board's meeting on February 25, 2009. He requested a copy of the information provided by Mr. Lupoli.

3) Chairman Eliopoulos announced a Public Input Session on February 25, 2009 being held at the Senior Center at 7PM.

4) Russell Durham, Sun Motor Group, represents a company that develops "green" vehicles. A solar powered electric vehicle will be displayed on the Chelmsford Common on Saturday, February 28, 2009 from 10AM-12:30PM.

5) Bruce Rich, 40 Chestnut Rd., feels that now that the windows, roof, library, and Performing Arts Center have been completed for the High School, he would like some effort put into the playing fields. He would like to see a turf field be installed at the High School.

Sichuan Palace-Change of Hours

Ying Han, Acton, owner of Sichuan Palace on Summer St., is requesting to extend operating hours to 1AM in an effort to grow her bar business. She would also like to obtain a Keno license. She is still researching security, and would like to try out some programs. She is aware that if the floor plan changes, she would need to come back before the Board.

Motion: By Selectman Jeannotte to amend the Common Victualers License for Sichuan Palace to extend operating hours on Thursday, Friday, Saturday, Sunday and Monday until 1AM. Seconded by Selectman Wojtas. Motion carried, unanimous.

Town Manager Reports

1) Mr. Cohen requested permission to seek a grant to underwrite a portion of the costs for membership in the International Council for Local Environmental Initiatives (ICLEI). As a member, Chelmsford would have access to various training tools and networking capabilities towards the goal of reducing greenhouse gas emissions, improving energy efficiency and promoting understanding of how climate change would affect the Town. There will be presentations on Green Initiatives given at future Board Meetings.

   Motion: By Selectman Jeannotte to authorize Mr. Cohen to apply for a $300.00 grant to apply towards a $600.00 membership to ICLEI. Seconded by Selectman Wojtas. Motion carried, unanimous.

2) Mr. Cohen stated that he scheduled the "Share the Passion" green vehicle demonstration with the Open House for the Town Hall on February 28, 2009 as a way to increase attendance for both events.

3) Mr. Cohen announced that Verizon will be present at the March 23, 2009 meeting for a Public Hearing on the terms of their FiOS license agreement. Town Counsel will be present for this meeting.

4) Pat Maloney will also be making his presentation on the Fire/DPW facility report at the March 23 meeting.

5) Mr. Cohen is still awaiting details on the Federal Stimulus Bill which was signed by President Obama on Tuesday. He believes there will be no additional Title One funding for Chelmsford. SPED funding amounts have not been released yet. There is a potential for Chapter 70 funding adjustments to be made on the State level, however requirements have not been released. There will be no transportation funds for Chelmsford. However, LRTA is receiving some funding, which may benefit Chelmsford. He is awaiting information on grants for fire station construction, and fire and police personnel. He is watching several government websites daily for updated information. Medicaid funds should be getting distributed this week to the States.

6) Mr. Cohen hopes to present his budget for 2010 to the Finance Committee on March 5, 2009. The Public Input session and a brief Tri-Board meeting will be held on February 25, 2009, and the Finance Committee will meet on February 26, 2009.

BOS Meeting Minutes

Motion: By Selectman Jeannotte to approve the Tri-Board session meeting minutes of January 29, 2009, as presented. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to approve the release of Executive Session Meeting minutes of January 22, 2007, as presented. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to approve the release of Executive Session Meeting Minutes of February 26, 2007, as presented. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to approve the release of the Executive Session Meeting minutes of January 23, 2008. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to approve the release of the Executive Session Meeting minutes of May 14, 2008, as presented. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to approve the release of the Executive Session Meeting Minutes of June 16, 2008, as presented. Seconded by Selectman Wojtas. Motion carried, unanimous.

Motion: By Selectman Jeannotte to release the Executive Session Meeting minutes of November 10, 2008. Seconded by Selectman Wojtas. Motion carried, unanimous.

Agricultural Commission

Selectman Wojtas announced that the State has enacted legislation allowing for the formation of local Agricultural Commissions. The Commissions have no legislative power, and are advisory only. She feels this may be an appropriate time to form a commission in light of the Farmers' Market and Community Garden that have recently been organized. Mr. Cohen stated the

commission would monitor activities, accept applications, review insurance and other accounting functions and research grant opportunities.

> **Motion:** by Selectman Jeannotte to authorize the Town Manager and Selectman Wojtas to create a warrant article allowing an Agricultural Commission to be formed for Chelmsford. The article should be ready for the April Town Meeting. Seconded by Selectman Wojtas. Motion carried, unanimous.

Slow Growth Initiative

Chairman Eliopoulos addressed a mailing sent to residents from the Slow Growth Initiative (SGI), which alleges the town has not done enough to curtail 40B development. Chairman Eliopoulos wished to inform the public that the Board has made many efforts to control affordable housing, including the following:

- Lobbying for legislation that would allow the units in the mobile home park to counted as affordable housing.
- The Board has used the LIP process, most recently with the Hillside Gardens project, which provides more input from the Board.
- BOS members have offered testimony at the State House to repeal/reform 40B law
- The Town spent in excess of $100,000.00 in legal fees fighting the development on Riverneck Rd., which ended in a remand. The Town was forced to accept the project, although at a reduced density.
- The Town is actively pursuing developers for excess profits to be returned to the Town.
- The Town sponsored a Housing forum in 2007, in which Tina Brooks of DHCD attended and discussed the 40B law and regulations.
- Selectmen Jeannotte and Wojtas are active members/liaisons to various housing groups.

Chairman Eliopoulos found it unfortunate that the mailing did not reflect these efforts.

Selectman Dalton voiced his disappointment with the opinions asserted in the mailing. Selectman Jeannotte objected to how her name was used in the mailing, as the petition she signed 2 years ago was in support of changing the law, not what was put in the mailing. Selectman Wojtas cited her efforts at supporting reform via highlighting recent legislation. Selectman Dahlberg wished to have more clarification as to who SGI was, as information about the group is very vague.

Selectmen Referrals

Selectman Dahlberg:
No referrals.

Selectman Jeannotte:

1) Selectman Jeannotte encouraged Town Meeting Representatives to urge their constituents to attend the Community Forum at the Senior Center on February 25, 2009. She encouraged residents to contact State representatives in regard to health insurance issues facing the town.
2) Selectman Jeannotte requested that David McLachlan meet with the Board to discuss proposed changes to the Wetland Bylaw.

3) Selectman Jeannotte praised efforts at organizing the Community Garden at Sunny Meadow (Walter Lewis) Farm. She reported the need for continued meetings to establish rules and regulations and many volunteer opportunities.
4) Selectman Jeannotte would like marijuana use, possession and penalties reviewed with Police Chief Murphy, based on a recent ordinance passed in Methuen.

Selectman Wojtas:
No referrals.

Selectman Dalton:
No referrals.

Chairman Eliopoulos:
1) Chairman Eliopoulos announced that a Leadership meeting will be held on February 25, 2009.
2) Chairman Eliopoulos reported that the CPC annual Public Hearing will be held on March 18, 2008 at Town Hall, in Room 205.
3) He noted that the Master Plan Committee has finalized the contract with NMCOG. An input form will be posted on the Town's website for anyone who wishes to give ideas. The group meets on the 2nd and 4th Thursday of each month, at 6:30PM. Their first Public Input Session will be held on March 24, 2009, at the Senior Center. Future sessions will follow. Input from the community is vital to shape the future of Chelmsford. They hope to be ready to make a presentation by Spring of 2010.

Press Questions
None.

Adjournment to Executive Session

Motion: By Selectman Jeannotte to adjourn at 9:15PM into Executive Session to discuss the status of collective bargaining. Seconded by Selectman Wojtas.

Roll Call Vote:
Selectman Dalton–aye;
Selectman Wojtas–aye;
Selectman Jeannotte–aye;
Selectman Dahlberg –aye;
Chairman Eliopoulos-aye

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Approved 3/23/09

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 205
Chelmsford, MA 01824

Work Session
March 16, 2009

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
William Dalton, Selectman
Eric Dahlberg, Selectman

Paul Cohen, Town Manager

Others Present: State Representatives Tom Golden, Cory Atkins, David Nangle, and Jim Arciero, as well as Susan Fargo's Chief of Staff Don Siriani, and aide Steven Flynn.

5:40PM
Chairman Eliopoulos called the meeting to order.

Jeff Hardy Alcohol License

> **Motion:** By Selectman Jeannotte to approve a One Day All Alcohol license to Jeff Hardy for April 11, 2009, from 6:00PM to 10:00PM, for an event to be held at the Old Town Hall. Seconded by Selectman Wojtas. Motion carried, unanimous.

Legislative Update
Chairman Eliopoulos welcomed the state representatives, and Senator Fargo's Chief of Staff, to this meeting.

Representative Golden reported that no Federal Stimulus funds have been released to the State yet. It is expected that all funds will be targeted, with very restricted uses. Selectman Jeannotte asked if there were guidelines as to how the educational funds could be used. Representative Atkins noted that the stimulus payments are intended to cover two years, and so should not be used to cover operating expenses. The representatives had no information on how much funding would be released to Chelmsford. They explained that the State is in a difficult position as its revenues are decreasing, and capital gains/losses will take a long time to recover. No one was sure what the consequences would be when cities and towns across the state are no longer able to comply with state mandates due to lack of funding. There is a potential that some mandates can be removed or temporarily relieved.

The state has stepped up collection efforts in an attempt to address their deficit. The Board was directed to expect language changes in the 40B law, GIC issues, and Library Certification, among others. Chairman Eliopoulos explained the importance of retaining the library's accreditation, and the difficulties of the GIC/Blue Cross Alternative negotiations with the local unions. Representative Atkins noted that a large issue appears to be that union members are not

being asked if they want to make the change to a new insurance program, and the unions have been consistently resistant to any major changes.

More information should be coming out about the Municipal Relief Package in about a month. Representative Arciero explained how the proposed option taxes would be implemented, and noted there is currently little general support for additional taxation.

No hearings have yet been set for the Home Rule petition related to National Grid and fees they have been collecting for the underground utility project.

Legislation allowing more regionalization of services may be considered in this session. Legislation is also pending for the implementation of red light cameras and internet advertising for procurement purposes.

Mr. Cohen asked the representatives what the plans were for pension funding adjustments. The representatives agreed that allowances must be made, given the economic situation.

The representatives asked for opinions about casinos. Several Board members felt resort casinos may work, but people are not spending as much, so this may not be the proper time.

Selectman Jeannotte asked the representatives if anything was pending that the Board should know about. It was explained that the Legislature is just beginning committee hearings on upcoming legislation, and to expect significant action over the next several months. They noted that all of State government is facing severe revenue challenges. Mr. Siriani reported that over 40 tax breaks were granted to businesses over the last 15 years, and many times, businesses took jobs elsewhere. Representative Golden stated that he felt Massachusetts was in better shape than most other states, because it is positioned to recover more quickly, and has a stabilization fund to draw upon. The State hopes to stretch their excess funds for another three years.

Both the legislators and the Board agreed that continued communication was very important. The Town was complimented on their ability to increase communication between its boards, via joint meetings. Chairman Eliopoulos suggested a future meeting, possibly in May, for an update.

** Chairman Eliopoulos left the meeting at 7:10PM, at which time Vice Chairman Jeannotte assumed the Chairman's role. **

Town Halls - next steps

Selectman Jeannotte asked Mr. Cohen for recommendations for how the Town should proceed with deciding possible uses of the North Town Hall and Old Center Town Hall, now that the Housing Authority's proposals have been withdrawn. Mr. Cohen would like to have the Permanent Building Committee create a scope of what rehabilitation and restoration of each building would require, as well as the costs. He will begin researching the makeup of a subcommittee to coordinate efforts between getting the work done and viable proposals that may be submitted by interested neighborhood groups. He asked for Board suggestions for the qualifications and background for possible members of that committee.

Town Manager Reports

Mr. Cohen is waiting for details on salaries, benefits, town obligations and other restrictions for the Police Officer (COPS) and Firefighter (SAFER) grant applications. He expects that information will be available soon.

The Finance Committee has asked Mr. Cohen to submit the final FY2010 budget, so that they can begin printing required for Spring Town Meeting. He will make an adjustment for library funding, which should enable the Library to be eligible for a waiver of certification for FY2010.

Pat Maloney of the Permanent Building Committee will make a presentation to the Board at the regular March 23 meeting, in regard to the Fire Station and DPW facilities.

Adjournment

> **Motion:** By Selectman Wojtas to adjourn the meeting at 8:15PM. Seconded by Selectman Dalton. Motion carried, unanimous.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Approved 3/23/09

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES - Public Input Session
Wednesday, February 25, 2009
Chelmsford Senior Center
75 Groton Rd.
No. Chelmsford, MA

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Clerk
William F. Dalton, Selectman
Eric R. Dahlberg, Selectman
Paul Cohen, Town Manager
John Sousa, Town Treasurer
Darlene Lussier, Town Accountant

Call to Order
Chairman Eliopoulos called the meeting to order at 7:05PM, jointly with the Finance Committee and School Committee.

School Committee members present were: Chairman Christina Walsh, Kathy Duffett, Angelo Taranto, Evelyn Thoren, and Kevin Porter. Also present were Superintendent of Schools Dr. Donald Yeoman, School Business Manager Robert Cruikshank, and Assistant Superintendent Dr. Karen Mazza.

Finance Committee members present were: Chairman Mary Frantz, Dwight Hayward, Jon Kurland, Dave Turocy, Donald Van Dyne, Vinnie Villano, and Tim McIlvenna.

Fiscal Year 2009 update
Mr. Cohen introduced Darlene Lussier and John Sousa to discuss revenue and expense issues with the current FY09 budget.

Ms. Lussier explained that the Town is on target in collections, except motor vehicle excise payments are coming in slower. All departments have cut back on their expenses. Salary expenditures are on track. Snow and Ice removal, Health Insurance and Unemployment costs are the areas with the highest deficit amounts at this time. The revised local receipts shortfall is $903,645.00. The reduction in State Aid is $615,270.00, for a total revenue shortfall of $1,368,915.00.

Mr. Sousa explained the expense adjustments that have been made to the FY2009 budget. Snow and Ice removal costs increased by $620,000.00, Health Insurance increased by 126,333.00, Unemployment costs increased by $95,000.00, Veteran's Benefits increased by $9,959.00, Legal fees and collection efforts costs increased by $7,586.00, for a total increase in costs of $858,876.00. The total projected deficit will be $2,227,793.00.

Mr. Sousa outlined the steps taken to balance the FY2009 budget, including making all possible reductions in personnel and expenses in February. The budget will officially be adjusted at the March 9, 2009 Special Town Meeting, which would include a request to transfer $1.13 million dollars from the Town's Stabilization Fund. Mr. Sousa stressed the Town would be unable to provide basic services if the budget was not adjusted this way.

Mr. Cohen explained the School Committee had approved reductions of $591,000.00 in their meeting the previous evening. Total reductions to the General Government side came to $503,352.00. The transfer from the Stabilization Fund would be $1,133,441.00. These figures would balance the deficit of $2,227,793.00 for FY2009. If the transfer of funds is approved, the balance in the Stabilization Account would be $2,412,588.00.

Dr. Yeoman reminded everyone of the actions his department has been taking due to the failure of the override last year. Last evening, additional changes were finalized and approved, totaling $591,000.00 in reductions. Three employees who left the department will not be replaced, and 16 other positions will be eliminated, for a savings of $83,000.00 on the FY09 budget. Supplies will not be purchased, and they will reduce the use of legal advice, for a savings of $67,000.00. Supplies for students and staff, books, software and computers will not be purchased. PTOs agreed to do what they could for fundraising for field trips. Elimination of supply and trip purchases will result in a savings of $213,000.00. Adjustments for custodial services, transportation and athletic fees provided savings of $185,000.00. Dr. Yeoman noted that increases in athletic fees did not reduce the number of athletes, and people continued to sign up for the bus once the weather turned bad. Reductions in staff development provided savings of $37,000.00. Additional reductions include elimination of after school detention, removing kitchen appliances from the classrooms, and no longer purchasing bottled water, for a savings of $6,000.00.

Fiscal Year 2010 Budget Summary

Mr. Cohen reviewed the FY2010 budget. He reviewed how the motor vehicle excise tax system is calculated. He anticipates an increase of $2,122,402.00 in revenue from property taxes and growth. He noted decreases in state aid and in local receipts would reduce revenue by $1,060,213.00. Health insurance and retirement assessments will increase by $725,000.00 and $314,529.00 respectively. Non-excluded debt increases by $287,969.00. The Snow and Ice removal budget will be increased by $295,000.00. Nashoba Tech assessment is expected to increase by $166,328.00. Mr. Cohen showed where he absorbed $1.9 million in cuts over the FY2009 adjusted budget. General Government would absorb $496,331.00 by eliminating 4 positions within town hall, not replacing 2 police patrol officers, reducing firefighter staffing to 11/8 per shift, purchasing 4 police cruisers rather than 5, and eliminating the zoning enforcement agent. These changes will increase response time, and will increase risks to the officers and general public. Two maintenance positions were eliminated. Council on Aging budget was decreased by $28,000.00 by eliminating funding for Respite Care. The life guard position at Freemen Lake will be eliminated. Funding for the libraries was decreased by $150,000.00, which will affect their certification. Mr. Cohen did not rely on potential revenue from state sources that have not been approved by the legislature as of yet, nor any funding from the federal stimulus legislation. He will restore certain services, if additional funds become available. Mr. Cohen presented a three year budget comparison as well as a ten year staffing chart, and noted the Town has less funds available to service an increased demand for services.

Selectman Jeannotte asked Mr. Cohen and Mr. Cruikshank if they foresaw any possible surprises in the current Fiscal Year. Mr. Cohen was comfortable with his projections, because he is not relying on income that may not materialize. Mr. Cruikshank explained the volatility of SPED and out of district costs, and that state mandates are making it very difficult for them to meet their obligations. Ms. Thoren went through an extensive list of mandates the department is required to comply with, including curriculum frameworks, assessments and accountability with

the No Child Left Behind Act, Children with Disabilities Act requirements, SPED provisions, transportation costs, 504 services by teachers, CORI checks, Title 1 requirements, Crisis prevention and intervention, Pre-School and Early Education requirements, Homeless/Transient Student issues, Interpreters for students, Home School Compliance, Certification and licensure of teachers, and many others. The department is lobbying legislators to waive some of the mandates. They were disappointed to hear Chelmsford would receive no additional Title 1 funds from the federal stimulus package. They are hoping for a change in Chapter 70 funding to bring in more funds. The police and fire departments are still waiting to hear if any of their projects were approved for stimulus funding. Dr. Yeoman closed by stating that SPED cost increases and collective bargaining issues in combination with further budget reductions may mean up to 65 more people may lose their jobs.

> **Motion:** By Mr. Van Dyne to adjourn the joint meeting at 8:40PM. Seconded by Selectman Jeannotte. Motion carried, unanimous.

PUBLIC INPUT

Chairman Eliopoulos explained that no one is happy about the proposed budget reductions, and urged residents to contact their legislators.

Tom Mills, 21 Wagontrail Rd., asked several questions regarding information in the budget figures, which Mr. Cohen and Chairman Eliopoulos explained for him.

Madeleine Needles, 16 Hitchinpost, spoke of behalf of the Friends of the Library. She is very concerned about the loss of certification for the libraries that the budget cuts will bring. Part of being in the Library Consortium involves borrowing privileges from other libraries. If certification is lost, so are the privileges of being in the consortium. People use the library because it is free. She gave many examples of how people use the library. She presented a stack of 1100 signatures collected in 4 days protesting the potential loss of certification. She was advised to forward the signatures to legislators and the Governor.

Karen DiDonato, 4 Archambault Way, had concerns about the disproportionate funding allowances for the public schools as compared to the Nashoba vocational/technical school. The Public Schools have had to absorb many reductions, yet the technical school is asking for a 17% increase in funding from each of the towns that support it. She asked if anyone had asked Nashoba to consider trimming their budget, like the public schools have had to.

Selectman Jeannotte recused herself from the Board of Selectmen in order to address this issue as the Business Manager for Nashoba Tech. Ms. Jeannotte explained that a state formula (similar to the Chapter 70 formula) determines how the towns are assessed. The formula considers debt costs, enrollment, above minimum assessments, transportation and capital assessments. Chelmsford sends approximately 122-130 students to the school. She believes the cost per pupil is ranked 24 out of 26 vocational schools, as being the lowest cost per pupil.

Mr. Cohen acknowledged he has not been able to negotiate changes to the funding requests. Chairman Eliopoulos noted the school is asking for $25,000.00 over state mandated contributions.

Maria Karafelis, Precinct 2, questioned why the Chelmsford School district still needed to pay for transportation costs for students temporarily placed in Chelmsford if they were transferred to a shelter in Haverhill. Mr. Cruikshank explained this was a federal mandate, and that Haverhill has the largest facility to handle homeless and substance abuse students. The department did receive a $9,300.00 grant to help with some costs. Mrs. Karafelis asked if the McKay library could be temporarily closed to save the certification. Mr. Cohen explained that certification is based on population, not on number of libraries. The library trustees decide how the libraries are run. Mr. Cohen is hoping that sufficient funding will be identified by the October Town Meeting.

James Pindar, Robin Hill Rd. would like to see more farming plots at Lewis farm, and more equestrian amenities. He asked for speed limit signs to be placed on Robin Hill Rd., for pedestrian safety. He feels the parking area should be smaller, and access for the rail trail is very secluded, and may pose a safety issue or other problems. Mr. Cohen explained the town would monitor use issues, probably via the Open Space land stewards as well as fellow users. Mr. Cohen explained he did not have the authority to impose speed limits on Robin Hill Rd.

Peggy Dunn, Precinct 1, advised the Board that Mass. Historical Commission will not waive the preservation restriction that exists on the Old Town Hall in Chelmsford center. She is requesting that Article 5 be removed from the Special Town Meeting Warrant. Chairman Eliopoulos explained that Mr. Hedison will need to address that issue. Mrs. Dunn reiterated that this building is not desirable for housing as it is too small.

Susan Julian-Gates, Precinct 7, stated the Center Town Hall cannot be developed because of legal issues, grant provisions, and bylaws that were enacted when the building underwent major restoration efforts in 1985. In accordance with Chapter 184, sections 32 and 33, the Town agreed to preserve this building in perpetuity. She was told by Paul Holtz of the Mass. Historic Commission that Mr. Hedison was told the preservation restriction would not be released. Mr. Cohen explained he has forwarded the deed and the restriction to town counsel, who will be present at the March 9 special town meeting. The Warrant has been posted, and the article will not be withdrawn at this time. Mr. Hedison will be presenting to the Finance committee on February 26, 2009.

Elaine MacDonald, Reed Rd. was in favor of a speed limit being imposed on Robin Hill Rd. She does not want the library to lose its certification, and asked Mr. Cohen to reconsider their budget. She requested names of people she could pursue these issues with.

Mary Tiano, 1 Spruce St., apologized to the Board that her name was on the Slow Growth Initiative mailing, as this was not what she signed for. She asked for a status of the GIC/Blue cross insurance product. Mr. Cohen explained the rates have been received. He has received no agreement from the Insurance Advisory Board, so he cannot change the product. He is lobbying state officials for authority to allow more changes when negotiating health insurance costs. He is aware of concern about financial hardship to subscribers due to increased co-pays. Selectman Jeannotte noted that the proposed Municipal Partnership Act has penalty provisions if insurance costs are exceeding GIC, which will also affect local aid. Mrs. Tiano was asked by a constituent about how overtime costs are handled, and are they tracked. Mr. Cohen explained that collective bargaining agreements use 4 hour minimums as an industry standard for overtime calls. This is allowed for non-union workers as well, as it is standard practice in many areas. Police and Fire incidents are tracked. Mrs. Tiano had questions about Nashoba Technical School's funding request. She was advised there would be a Public Hearing on March 10, 2009, and the school representatives would make a presentation to the Finance Committee on March 12, 2009. Mr.

Cohen announced there would be a vacancy on Nashoba's board at the end of March. Interested people are welcome to apply for this one year unexpired term position.

Robert Hanlon, North Rd., asked for clarification of how properties are assessed, and how the property tax levy is calculated. He asked for a status of Verizon's FiOS license, and was told the company would be appearing before the Board of Selectmen on March 23, 2009 for approval of their license.

Erik Merrill, Animal Control Officer, provided a written proposal to the Board of Selectmen for a dog park on Lewis Farm. He explained a bylaw would need to be changed to allow off-leash dogs in this park. He explained that the closest park is in Lowell, which does not allow non-residents. The closest park that allows non-residents is in Milford. There are over 4000 licensed dogs in town, and people have asked him if there is any place in town where they can run freely. By town law, there is none. He feels the park would see constant use, it would be largely self-governing, and would be monitored by paying permit holders. Officer Merrill's proposal included a site plan, discussed amenities and fencing, basic park rules, and addressed liability issues.

Maria Karafelis, Precinct 2, wished to add that the Town Hall proposals should be considered on an all or nothing basis.

David Ford, 51 Sherman St., would like town employees to consider a wage freeze, or in some cases, a cut in pay to assist in getting through this recession and prevent layoffs. He asked Dr. Yeoman to reduce Administrative positions rather than teachers. He requested a meeting with Mr. Cohen to discuss some of his ideas. Mr. Cohen agreed to meet with him, and expressed his disappointment that there are people in town that do not understand how understaffed the town already is, nor the constraints he must comply with to efficiently operate a town of Chelmsford's size.

Brian Carey, 50 Gay St., asked that the town hall proposals not be approved. He feels the town is throwing away historic assets, and doing a disservice to the residents. A 300 square foot living space is an insult to veterans. He would be interested in pursuing the opening on the Nashoba school board.

Robert Cruikshank, School Business Manager, asked if it were possible to consider a 2 year reprieve from the CPC tax, and instead collect an equal amount of funds to support the town. Mr. Cohen explained there are current debt obligations that still need to be paid through this fund, and the state matches a portion of funds collected through the CPC tax. Keeping people's tolerance for taxes in mind, he doubted if residents would support an underride any more than an override.

Nick DiSilvio, 4 Coach Rd., requested verification of some of the GIC issues, and union negotiation issues. He would like to tap into town residents who specialize in negotiations for ideas in getting through these difficult economic times. He suggests using wage freezes and cuts to offset costs in other areas. Perhaps some benefits that are not required by law should be eliminated. Mr. Cruikshank explained that teachers have already given up various benefits over time. Mr. Cohen explained the need to remain competitive with wages, so the best talent doesn't leave for other towns. Mr. Cohen foresees it could take up to 36 months to recover from this recession, and he doesn't feel the town really recovered from the recession in 2003.

Dr. Donald Yeoman, Superintendent of Schools, was disappointed in the degree of criticism of administrative personnel. He stated some of them work up to 80 hours per week. They are instrumental in stopping problems before they start. Chelmsford has witnessed no suicides, murders or other problems due to the presence of administrators around students. In 1950, he cited a 50% graduation rate on average, which is now 76%. Chelmsford's graduation rate today is 98%, which he believes is partially due to the interaction and guidance of administrators with students.

Karen Dussourd, 16 Washington St., announced there is a group of residents actively working on a proposal to use the North Chelmsford Town Hall as a community center.

Chairman Eliopoulos closed the meeting by thanking everyone for coming and sharing their concerns.

> **Motion:** by Selectman Jeannotte to adjourn the meeting at 10:50PM, seconded by Selectman Wojtas. Motion carried, unanimous.

Respectfully submitted,
Vivian W. Merrill
Recording Secretary

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Work Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Mon. Feb. 2, 2009 **Time:** 6:45 pm

Location: Police Station (Name of Building) Room Number: Meeting Room

2 Old Mill Rd (Street Address)

Elizabeth H. Delmar — 1/28/09

Town Clerk's Signature — Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Work Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Mon, Feb 9 2009 **Time:** 5:30 pm

Location: Town Offices Room Number: 214

Name of Building

50 Billings Rd

Street Address

Elizabeth F. Delmey

Town Clerk's Signature

2/3/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, February 9, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd

Street Address

Elizabeth L. Delorey

Town Clerk's Signature

1/6/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Work Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Tues February 17, 2009 **Time:** 5:30 p.m.

Location: Town Offices Room Number: 204

Name of Building

50 Bellingham Rd

Street Address

Town Clerk's Signature

Clerk/Bd. Member & Date 1/6/09

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Mon., Feb 23, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204
Name of Building

St Bellerica Rd
Street Address

Elizabeth H Delmey

Town Clerk's Signature

T. Lyons 1/6/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Public Input Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Wed. February 25, 2009 **Time:** 7:00 pm

Location: Senior Center Room Number: Hall

Name of Building

75 Taylor Rd

Street Address

Elizabeth F. Delmey

Town Clerk's Signature

T. Lyons 1/6/09

Clerk/Bd. Member & Date

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
March 9, 2009

Senior Center
75 Groton Rd.

6:30 p.m. Call to Order

- **One Day All Alcohol License – St. John the Evangelist 3/14/09**
- **Special Town Meeting Recommendations**
- **Sign Annual Town Meeting Warrant**
- **Billboard Discussion**

Approved 3/23/09

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES – Work Session
Monday, March 9, 2009
Chelmsford Senior Center
75 Groton Rd, North Chelmsford

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
William Dalton, Selectman
Eric Dahlberg, Selectman

Paul Cohen, Town Manager
John Giorgio, Town Counsel

6:30PM
Chairman Eliopoulos called the meeting to order.

St. John the Evangelist Church
Jane Sackey, representing the Hospitality Committee at St. John's Church, was present to answer questions regarding the request for a one day alcohol license.

> **Motion:** By Selectman Jeannotte to approve a one day All Alcohol license for St. John the Evangelist Church for Saturday, March 14, 2009 from 6:00PM to 11:00PM. Seconded by Selectman Wojtas. Motion carried, 5-0.

Special Town Meeting

> **Motion:** By Selectman Jeannotte to recommend approval of Articles 1, 2 and 3 on the Special Town Meeting warrant. Seconded by Selectman Wojtas. Motion carried, 5-0.

Spring Town Meeting
Several questions were raised regarding warrant articles to be placed on the Spring Town Meeting warrant, including those related the proposed billboard bylaw, the respite care revolving fund, and the Pond St. property. It was decided to delay signing the warrant until the March 23 regular Board meeting.

Adjournment to Executive Session

> **Motion:** By Selectman Jeannotte at 7:15PM to adjourn to Executive Session for the purposes of discussing Litigation and Collective Bargaining. Seconded by Selectman Wojtas. Roll Call:
>
> Selectman Wojtas: Aye
> Chairman Eliopoulos: Aye
> Selectman Jeannotte: Aye
> Selectman Dalton: Aye
> Selectman Dahlberg: Aye

Respectfully Submitted,
Pat Wojtas, Clerk of the Board of Selectmen

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES – Executive Session
Monday, March 9, 2009
Chelmsford Senior Center
75 Groton Rd, North Chelmsford

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectman Clerk
William Dalton, Selectman
Eric R. Dahlberg, Selectman

Paul Cohen, Town Manager
John Giorgio, Town Counsel

Orchard Woods:
Mr. Giorgio updated the Board on the progress of litigation against the owners of the Orchard Woods 40B, in regards to excess profits. Mr. Cohen reported that David Hedison, Executive Director of the Chelmsford Housing Authority, has recommended acceptance of a settlement in the range of $100,000 to $115,000. The Board concurred.

Insurance Update:
Mr. Cohen reported that the unions have indicated they are not agreeable any changes from the current Insurance plan.

Adjournment:

Motion: Selectman Jeannotte made a motion to adjourn at 7:30pm. Selectman Wojtas seconded the motion. Roll call vote:

Selectman Dalton: Aye
Selectman Dahlberg: Aye
Selectman Wojtas: Aye
Chairman Eliopoulos: Aye
Selectman Jeannotte: Aye

Respectfully submitted,

Pat Wojtas, Clerk of the Board of Selectmen

CHELMSFORD BOARD OF SELECTMEN
Work Session Agenda
March 16, 2009

Town Offices
50 Billerica Rd.

5:30 p.m. Call to Order

Scheduled Business

- **One Day All Alcohol License – Jeff Hardy**
- **Legislative Delegation – Priorities**
- **Town Halls next steps**

Next Regular Meeting: March 23, 2009

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
March 23, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Annual Taste of Chelmsford, Center School March 30th**
- **Chelmsford Stars Come 4th Event – Marian Currier & Tricia Dzuris**
- **Earth Hour – Jennifer Almeida**
- **Brush Drop Off – Jim Pearson and Jennifer Almeida**

Open Session

Scheduled Business

7:30 p.m. Nashoba Valley Tech. District School Committee Appointment

7:35 p.m. Presentation on Proposed Amendments to Wetland's Bylaw – Dave McLachlan

7:45 p.m. Sign Annual Town Meeting Warrant

7:45 p.m. Pole Petition – Chelmsford Street

8:00 p.m. Public Hearing - Cable License - Verizon FiOS

8:30 p.m. Fire / DPW Facility Report - Pat Maloney

Town Manager Reports

- Animal Inspector Appointment
- Town Hall Utilization Study Committee
- Designer Services Roof Replacement- Chelmsford Forum

BOS Meeting Minutes

- BOS Work Session Minutes February 9, 2009
- BOS Regular Meeting Minutes February 9, 2009
- BOS Work Session Minutes February 17, 2009
- BOS Executive Session Minutes February 17, 2009
- BOS Regular Meeting Minutes February 23, 2009
- BOS Executive Session Minutes February 23, 2009

***** This meeting is televised. *****

- BOS Public Input Session Minutes February 25, 2009
- BOS Work Session Minutes March 9, 2009
- BOS Executive Session Minutes March 9, 2009
- BOS Work Session Minutes March 16, 2009

Unscheduled Business

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: April 13, 2009

Approved 4/13/09

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

March 23, 2009

Attending:
Phillip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
Eric Dahlberg, Selectman
William F. Dalton, Selectman

Paul Cohen, Town Manager

7:00PM
Chairman Eliopoulos called the meeting to order.

Mr. Eliopoulos wished to thank the Town for the opportunity to serve the last 12 years, as this is his last televised meeting as a Selectman. He reviewed some of the major accomplishments during his tenure. He plans to continue serving on the Master Plan Committee, and will always be available to help where needed.

Mr. Dalton acknowledged his last televised meeting as a Selectman by stating much ground has been gained in achieving his goal to create a more open and accessible Town government. He will continue to act as a Town Meeting Representative, and as a Sewer Commissioner, if elected.

Selectman Jeannotte presented Chairman Eliopoulos with a plaque in recognition of his service as Chairman for the past year, and expressed the Town's gratitude for the past service of both men.

State Representative Jim Arciero came forward to present each Selectman with a State Resolution by the Massachusetts General Court, which listed the major accomplishments of each gentleman.

Public Service Announcements

Annual Taste of Chelmsford, March 30th -Wendy Siegel, 7 Bridge St., spoke on behalf of the Center School. This fundraising event will be held from 7-10PM on March 30, 2009, at the Radisson Hotel. Tickets may be purchased at Harrington Wine & liquors for $20.00 or at the door for $25.00.

Jim Pearson, DPW Director, announced that a brush drop-off event was being held on April 4, 2009 from 8AM-4PM at Community Tree on Billerica Rd. The event will be held rain or shine, and is open to all Chelmsford residents. Employees will stay later if needed.

Earth Hour - Jennifer Almeida, Recycling Coordinator, announced Earth Hour, from 8:30-9:30PM on March 28, 2009. Everyone is asked to turn off all non-essential electric appliances for one hour. Many cities around the world are participating in this event, to send a message that we need to find solutions on the issue of climate change.

Chelmsford Stars Come 4th- Trish Dzuris and Marian Currier came forward to announce this event on behalf of the Chelmsford Parade Committee. Applications are due by April 17, 2009. Preliminary Auditions will be held on May 12, 2009 at the old Town Hall. Finalists will compete on May 27, 2009, at the Performing Arts Center, for cash prizes and to sing on July 3 & 4, 2009 at the Town's Independence Day Celebration.

Master Plan Public Input Session - Chairman Eliopoulos announced that the Master plan Committee is holding a Public Input session at the Chelmsford Senior Center on March 24, 2009 from 7-9PM. Everyone is encouraged to attend, and voice their suggestions for the future development of Chelmsford.

Open Session

Evelyn Thoren reported on the work of the ATEF committee, and noted that the deadline for submissions for ATEF grants is March 31. She also reported that the Mass. Association of School Committees will be conducting a regional forum on Saturday, March 28 in Lowell.

Craig Chemaly, Director of the Slow Growth Initiative in Chelmsford, thanked the Board for agreeing to hear his group's concerns, and will probably ask for some time on a meeting agenda in May.

Nashoba Valley Tech. District School Committee Appointment

Selectman Jeannotte excused herself from this part of the meeting. The meeting was held jointly with the School Committee, and was chaired by Moderator Dennis McHugh. School Committee members present were: Chairman Christina Walsh, Kathy Duffett, Angelo Taranto, Evelyn Thoren, and Kevin Porter. Candidates applied for two open positions on the Nashoba Valley Technical School Committee. One member is to be appointed for a 3 year term, and one alternate member for an unexpired term that ends on 3/30/2010. The candidates were given the opportunity to speak, and were presented in alphabetical order.

Brian Carey was applying for the alternate member position. He has been a teacher, worked in government, and desires to do more public service at this time.

Stratos Dukakis has previously served on this committee. He has worked as an electronic engineer, and an educator in vocational-technical schools. He has extensive knowledge of school and municipal finance from his consultant work in various towns. His goal is to develop the relationship between the school and the town.

Ralph Hulslander would like to be re-appointed to this committee. He has extensive military, sales, computer, metal fabrication and machine shop experience, and has always been active in his nine previous years of serving on this committee.

Doug Gordon, also a candidate, was not present to speak.

Several questions were answered regarding the duties of the appointees.

Motion: By Selectman Dalton to nominate Ralph Hulslander for the 3 year Nashoba Valley Technical School Committee position. Seconded by Selectman Wojtas.

Motion: By Ms. Duffett to nominate Stratos Dukakis for the 3 year Nashoba Valley Technical School Committee position. Seconded by Ms. Walsh.

Motion: By Chairman Eliopoulos to close nominations. Seconded by Selectman Wojtas. Motion carries, unanimous.

Mr. McHugh asked for a vote by a show of hands. Mr. Hulslander won by a 6-3 vote.

Motion: By Chairman Eliopoulos to nominate Stratos Dukakis to the Alternate position for the Nashoba Valley Technical School Committee. Seconded by Mr.Taranto.

Motion: By Mr. Porter to nominate Brian Carey to the alternate position for the Nashoba Valley Technical School Committee. Seconded by Selectman Dalton.

Motion: By Chairman Eliopoulos to close nominations. Seconded by Ms. Thoren. Motion carries, unanimous.

Mr. McHugh asked for a vote by a show of hands. Mr. Carey won by a 5-4 vote.

Motion: By Selectman Dalton to adjourn the Joint Meeting. Seconded by Selectman Wojtas. Motion carries, unanimous.

Presentation on proposed Amendments to the Wetlands Bylaw

Dave McLachlan, Chairman of the Conservation Commission, explained the Wetland Bylaw was enacted in 1982, and updated once in 1995. Minor changes have been done since then. Mr. McLachlan discussed the reasons for the re-write and revision to the local wetlands bylaw. The changes were based on the Massachusetts Association of Conservation Commissions' Model Bylaw adopted in 2006. Mr. McLachlan also showed which regulations are stricter than state regulations, and why some regulations were eased. The Warrant Article shows all of the changes, deleted language and added language. Town counsel reviewed the document, and all concerns have been resolved.

Spring Town Meeting Warrant

Motion: By Selectman Jeannotte to post the Spring Town Meeting warrant as presented. Seconded by Selectman Wojtas. Motion carries, unanimous.

Pole Petition-Chelmsford St.

Joseph Gleason spoke on behalf of Verizon to present two petitions on Chelmsford St., near the former Skip's restaurant site. The petitions are being presented as a courtesy, as the actual approval would be done by the State, since Rt. 110 is a state controlled road. The first petition is to place a mid-span pole called 51.5, between existing poles 51 and 52, for the Café Madrid restaurant. The second petition is to lay and maintain underground conduits, manholes, cables and wires from the lot line to the pole.

Chairman Eliopoulos noted that this was a public hearing, and asked if anyone present wished to speak for or against the petition. No one came forward.

> **Motion:** By Selectman Jeannotte to close the public hearing for Pole Petition # 38. Seconded by Selectman Wojtas. Motion carries, unanimous.
>
> **Motion:** By Selectman Jeannotte to close the public hearing for Pole Petition # 39. Seconded by Selectman Wojtas. Motion carries, unanimous.
>
> **Motion:** By Selectman Jeannotte to approve Verizon's Pole Petitions #38 and 39 as presented. Seconded by Selectman Wojtas. Motion carries, unanimous.

Public Hearing-Cable License-Verizon FiOS.
The Public Hearing was opened by Chairman Eliopoulos. Legal notice was read by Chairman Eliopoulos. Verizon representatives were invited to explain how they will provide their service by the requested deadlines. John Harrington of Verizon stated that the terms of the agreement have not been completed yet, and requested that the hearing be continued until this has been done. Peter Bowman of Verizon explained the company is financially sound; they are here to answer any further questions tonight and wish to provide their service as soon as possible.

Mr. Cohen advised that the application had been filed in October, 2008, and as of their final session in December, 2008, he was under the impression that all of the details had been worked out. The hearing was originally scheduled for January; it is now the final meeting of the current Board in March. Mr. Cohen preferred to finalize this license with the current Board, as the next Board may not be as willing to issue this license, and all parties have put a lot of work into the application. Also, State regulations require the application process which was started in June, 2008, must be completed within 12 months.

The 2 outstanding issues involve the build-out time frame and provisions for the payment of PEG access. Once the license is granted, Verizon has 24 months to complete the build-out. Due to other pending obligations, they may not be able to begin the build-out until 2010. Attorney Peter Epstein, who represents the Town of Chelmsford in these contract negotiations, pointed out that PEG license language being proposed in not common to other cable contracts. Completed items for the agreement include having a customer service office within 10 miles of the town, I-net agreement is complete, license fees are agreed, three full time channels will be provided for local access, a performance bond will be issued, and wiring distances are agreeable.

Chairman Eliopoulos noted that this was a Public Hearing, and asked if anyone wished to speak.

Scott Glidden, Precinct 3, and manager at Chelmsford Telemedia asked about the interconnect with Comcast, and how it may continue if Comcast does not renew their contract. Mr. Bowman noted that an agreement has been reached with Comcast for that service. Mr. Glidden was assured that any gaps that would be created if Comcast chose to leave the area before their contract expired would be covered.

Mr. Cohen and Chairman Eliopoulos advised they wish to close the public hearing, and vote on the contract, within 2 weeks. Mr. Harrington promised to work to finalize negotiations within that time frame.

Motion: By Selectman Jeannotte to continue the public hearing until April 2, 2009, at 5:30PM. Seconded by Selectman Wojtas. Motion carries, unanimous.

Selectman Dalton invited Matt Scott, CEO of Chelmsford Telemedia to approach the Board to announce that video streaming of televised meetings can now be viewed on the CTM website. He also reported about a new show called the New England Job Show which has been showcased on other broadcast stations and print media.

Fire/DPW Facility Report

Patrick Maloney spoke on behalf of the Committee which was asked to come up with solutions to the deteriorating conditions at the Center Fire Station, and the outdated DPW facility. Mr. Maloney explained the process that was completed, listed the inadequacies of the current facilities, noted why new facilities were needed, what amenities were needed in the new facilities, why these amenities would be beneficial to each operation, and a site selection and cost analysis for each operation. For the Center Fire Station, the Committee agreed by a majority vote that the most viable option was to construct a new station at the Wilson St. location as soon as practicable.

For the DPW facility, the Committee agreed by unanimous vote to purchase the building and adjacent land on Alpha Rd., renovate this building and construct yard support. Selectman Jeannotte wished to see more information on how these projects would be financed before the Board makes any recommendations. Mr. Cohen also noted the availability of Fire Facility grants that may be coming available under the Federal Stimulus Plan.

Motion: By Selectman Jeannotte to accept the report of the Fire/DPW Facility Study Committee as presented. Seconded by Selectman Wojtas. Motion carries, unanimous.

Town Manager Reports

1) Animal Inspector Appointment

Motion: By Selectman Jeannotte to support the reappointment of Erik Merrill for a one year term as Animal Inspector. Seconded by Selectman Wojtas. Motion carries, unanimous.

2) Town Hall Utilization Study Committee

Mr. Cohen would like to utilize the Permanent Building Committee to determine the capital costs required for both Town Hall buildings. Mr. Cohen would also like to establish a Town Hall Utilization Study Committee which would look at viable uses for both buildings. Mr. Cohen estimates this will be a 5-person group, set up similar to the Stipend Committee. He would like to start accepting applications for the group in April, so they are ready to present their findings for Fall Town Meeting.

Motion: By Selectman Jeannotte to authorize Mr. Cohen to begin forming a Town Hall Utilization Study Committee, to work in conjunction with the Permanent Building Committee in determining uses of the North and Center Town Hall buildings. Seconded by Selectman Wojtas. Motion carries, unanimous.

3) Designer Services Roof Replacement-Chelmsford Forum

The Town's lease agreement provides that the Town maintain the building. Future improvements will include ice surface replacement and parking lot improvements. The lease comes up for renewal legislation in 2016.

> **Motion:** By Selectman Jeannotte to support the Design Committee's finding to recommend that the Town approve Russo Barr Associates for the Chelmsford Forum Roof Replacement Project. Seconded by Selectman Wojtas. Motion carries, unanimous.

4) Dignitary Visit

Mr. Cohen received a request from the incoming Mayor of Chelmsford, England to visit Chelmsford, MA in October, and possibly sit in on the Fall Town Meeting. The Board welcomes this opportunity; Mr. Cohen will begin the coordination efforts.

5) Ratification of Union Contracts

Mr. Cohen supplied copies of the Library, Highway, and Cemetery Union Memoranda of Agreement to the Board for approval. All agreements would expire June 30, 2010. All agree to no increase in salary structure for fiscal year 2010. The Highway department also agreed to waive injury pay and longevity payments.

Other agreements with the clerical, patrolmen's and firemen's unions are expected to be received soon.

Selectmen Jeannotte and Dahlberg requested continuation to April 2 to await the other unions' response and to have a chance to review the complete agreements.

6) Federal Stimulus Program Update

Conditions are still being finalized for educational funds. SPED funding was announced at the end of last week. Mr. Cohen is still trying to get more information soon on energy efficiency funding. Mr. Cohen was able to give some information for funding under the COPS Program, which would provide funding for police officers for 3 years, with the understanding that the Town commits the funding for the fourth year. Mr. Cohen would like to apply for funding for 3 patrolman positions.

Chief Parow is looking into a similar program for firefighters, where 2 years are funded, and the Town commits to a third year. He would also like to apply for 3 positions.

Several departments are asking for input and research on programs available for various green initiatives and fuel efficient vehicles. Mr. Cohen is also working with Mr. Belansky on potential zoning and building code changes to make green initiatives more attractive in Chelmsford.

7) Other

Mr. Cohen reported that Chelmsford has been allocated 30 openings for summer work opportunities for economically disadvantaged youth. Applications will be forthcoming.

Mr. Belansky and Mr. Persichetti are researching and applying for Brownfield Project grants for the site on Katrina Rd. He noted the difficulty in finding many of these grant opportunities as there is no one available to research and apply for them. Requirements and availability of grants change on a daily basis.

BOS Meeting Minutes

Motion: By Selectman Jeannotte to approve the work session meeting minutes of February 9, 2009, as presented. Seconded by Selectman Wojtas. Motion carries, unanimous.

Motion: By Selectman Jeannotte to approve the regular meeting minutes of February 9, 2009, as presented. Seconded by Selectman Wojtas. Motion carries, unanimous.

Motion: By Selectman Jeannotte to approve the Work Session Meeting Minutes of February 17, 2009, as presented. Seconded by Selectman Wojtas. Selectman Dalton abstained, all others in favor.

Motion: By Selectman Jeannotte to approve but not release the Executive Session Meeting minutes of February 17, 2009. Seconded by Selectman Wojtas. Selectman Dalton abstained, all others in favor.

Motion: By Selectman Jeannotte to approve the Regular Meeting minutes of February 23, 2009, as presented. Seconded by Selectman Wojtas. Motion carries, unanimous.

Motion: By Selectman Jeannotte to approve but not release of the Executive Session Meeting minutes of February 23, 2009, as presented. Seconded by Selectman Wojtas. Motion carries, unanimous.

Motion: By Selectman Jeannotte to approve the Public Input Session minutes of February 25, 2009 with changes to page 2 noting that the $83,000.00 savings is only for the rest of the fiscal year, and the last paragraph should indicate the figures are for the remainder of the current fiscal year. Seconded by Selectman Wojtas. Motion carries, unanimous.

Motion: By Selectman Jeannotte to approve the Work Session Meeting Minutes of March 9, 2009, as presented. Seconded by Selectman Wojtas. Motion carries, unanimous.

Motion: By Selectman Jeannotte to approve but not release of the Executive Session Meeting minutes of March 9, 2009, as presented. Seconded by Selectman Wojtas. Motion carries, unanimous.

Motion: By Selectman Jeannotte to approve the Work Session Meeting Minutes of March 16, 2009, with the addition that Steve Flynn should be included as present. Seconded by Selectman Wojtas. Motion carries, unanimous.

Selectmen Referrals

Selectman Dalton:
No referrals.

Selectman Wojtas:
Wished to note that it has been a pleasure working with Chairman Eliopoulos and Selectman Dalton.

Selectman Jeannotte:
No referrals.

Selectman Dahlberg:
He and Mr. Cohen attended the latest meeting in Billerica for Aspen Apartments and reported no new developments but they are keeping tabs on the project. The next meeting will be in early May.

Selectman Eliopoulos:
Reminded residents that Election Day is April 7, 2009 from 7AM-8PM and urged people to vote.

Press Questions

None.

Adjournment

Motion: By Selectman Dalton to adjourn the meeting at 11:05PM. Seconded by Chairman Eliopoulos. Motion carries, unanimous.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, March 9, 2009 **Time:** 6:30 pm

Location: Senior Center Room Number: hall

Name of Building

75 Cedar Rd.

Street Address

Elizabeth H. Delmey

Town Clerk's Signature

Lucia Quinn 2/12/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Mon, March 23 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

56 Billerica Rd.

Street Address

Elizabeth A. Delmey

Town Clerk's Signature

T. Lyons 2/23/09

Clerk/Bd. Member & Date

RECEIVED

09 FEB 23 PM 4:38

TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

APR 09

CHELMSFORD BOARD OF SELECTMEN
Work Session Agenda
April 2, 2009

Town Offices
50 Billerica Rd.

5:30 p.m. Call to Order

Scheduled Business

- Continuation of Public Hearing – Verizon FiOS Cable License
- Memorandums of Agreement FY 2010

Town Manager Reports

- Aspen Apartments 40B – State Street cul de sac

Unscheduled Business

-

Executive Session

Next Regular Meeting: April 13, 2009

Approved 4/13/09

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES –Work Session
Thursday, April 2, 2009
Town Offices
50 Billerica Rd, Chelmsford

Attending:
Philip M. Eliopoulos, Chairman
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
William F. Dalton, Selectman
Eric R. Dahlberg, Selectman
Paul Cohen, Town Manager

5:35pm
Chairman Eliopoulos called the meeting to order.

Verizon FiOS Cable Contract:
John Harrington, representing Verizon, announced that the company had resolved all outstanding issues between Verizon and the Town of Chelmsford regarding the execution of the contract, and installation of FiOS cable throughout the Town. Peter Epstein, Chelmsford's counsel for these contract negotiations, agreed with Mr. Harrington's comments. Mr. Epstein noted that the agreement states that the execution date of the contract will be April 2, 2009, and the effective date will be November 1, 2009. The effective date determines the anticipated time frame for necessary installation activities. Mr. Epstein recommended approval of the contract.

Chairman Eliopoulos stated that this was the continuation of the Public Hearing, and asked for public comments.

Bob Hanlon, 255 North Road, stated that he felt the two-year time frame for installation was too long. Chairman Eliopoulos noted that the two years referred to the timetable for aerial installation for the entire town, and that many areas would be completed before that time.

> **Motion:** Selectman Jeannotte made a motion to close the Public Hearing. Selectman Wojtas seconded the motion. Motion carried, 5-0.

Selectman Jeannotte asked what options the Town would have if the two-year timetable was not met. Mr. Epstein reported that there are penalties included in the contract language, which the Town could invoke. Mr. Harrington stated that Verizon has not experienced any problems meeting such schedules in the past, and expected to be able to meet the schedule as outlined in the contract.

Mr. Epstein also noted that Verizon has provided a letter to the Town, promising to donate $10,000 to the Friends of the Chelmsford Senior Center.

Motion: Selectman Jeannotte made a motion to approve and execute the cable license for Verizon, Inc., dated April 2, 2009. Selectman Wojtas seconded the motion. Motion carried, 5-0.

Princeton Properties:
Barry Balan, Chairman of the Sewer Commission, reported that the Town has reached a settlement agreement with Princeton Properties regarding litigation related to betterment fees for sewer service at properties on Technology Drive.

Selectman Jeannotte asked if this agreement would set any precedent for the Town that may affect future developments. Mr. Balan stated that this was a unique situation, which should not recur.

Motion: Selectman Jeannotte made a motion to execute the release and settlement agreement with PH Henchelm, LLC, Princeton Development Services, LLC, and Princeton Commons, LLC. Selectman Wojtas seconded the motion. Motion carried, 5-0.

Union Contracts:
Mr. Cohen reported that he has received agreements from all municipal unions, except the Patrolmen's union, to accept a zero increase in salary structure for Fiscal Year 2010. He noted that the Patrolmen's union was meeting on April 2, for the purpose of voting on a similar agreement, and expected they would also approve it. He reported that the Clerical union also agreed to waive step increases for Fiscal Year 2010, and that the Highway and Cemetery employees agreed to waive injured and longevity payments.

Motion: Selectman Jeannotte made a motion to authorize the Town Manager to sign the Memoranda of Agreement between the Town and: the Highway and Cemetery Employees IUOE, Local 877; Library Employees MFT Local 3569; Firefighters Local 1839, IAFF; AFSCME Local 1703, Council 93; and Superior Officers Local 20, NEPBA, Unit B, on behalf of the Board of Selectmen. Selectman Wojtas seconded the motion. Motion carried, 5-0.

Aspen Apartments:
Mr. Cohen reported that the Town has two concerns regarding the proposed 40B development in Billerica, which abuts the Town of Chelmsford at State Street and Bishop Street.

The applicant will submit drainage findings to the Billerica Zoning Board of Appeals, and the Town of Billerica has engaged Nitch Engineering to perform a peer review. It is not expected that those reviews will include all impacts to Chelmsford properties. Therefore, Mr. Cohen has asked Attorney Dan Hill, who is working with the Chelmsford

abutters, to submit a proposal to complete a drainage assessment that will address potential concerns of Chelmsford residents.

Mr. Cohen reported that title to property at the end of State Street, where a proposed emergency access is planned, is not clear. He has asked Town Counsel to provide a proposal for researching and determining the true Town boundary. The results of that determination could have a significant impact on the feasibility of the developers to complete the project.

After some discussion, it was decided that necessary work to determine the Town boundary should be completed before pursuing a review of the drainage issues.

Other Business:

Selectman Jeannotte noted that the Board has accomplished many of its goals for the past year. She stated that the continued dedication of Chairman Eliopoulos and Selectman Dalton has been instrumental in achieving those goals.

Press Questions:

Rita Savard, from the Lowell Sun, asked about the Comcast franchise fee. Mr. Cohen reported that he did have that number immediately available, but would provide it to her in the near future.

Ms. Savard asked about expectations for an agreement from the Teachers Union, similar to those reported for the General Government unions. Mr. Cohen noted that negotiations were expected to take place on April 3 with the school unions.

Adjournment:

> **Motion:** Selectman Jeannotte made a motion to adjourn at 6:20pm. Selectman Wojtas seconded the motion. Motion carried, 5-0.

Respectfully submitted,

Pat Wojtas, Clerk of the Board of Selectmen

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES –Reorganization Meeting
Thursday, April 9, 2009
Town Offices
50 Billerica Rd, Chelmsford

Attending:
Clare Jeannotte, Vice Chairman
Patricia Wojtas, Selectmen Clerk
Eric R. Dahlberg, Selectman
George Dixon, Selectman
Sean Scanlon, Selectman
Paul Cohen, Town Manager

5:30pm
Vice Chairman Jeannotte called the meeting to order.

Board Reorganization

Vice Chairman Jeannotte opened the floor to nominations for Chairman.

> **Motion:** By Selectman Wojtas to nominate Clare Jeannotte as Chairman of the Board. Seconded by Selectman Dahlberg.
>
> **Motion:** By Selectman Wojtas to close nominations. Seconded by Selectman Dahlberg. Motion carries, 5-0.

Vice Chairman Jeannotte asked for a vote on the nomination. The vote was unanimous.

Chairman Jeannotte opened the floor to nominations for Vice Chairman.

> **Motion:** By Selectman Dahlberg to nominate Pat Wojtas as Vice Chairman. Seconded by Selectman Scanlon.
>
> **Motion:** By Selectman Dahlberg to close nominations. Seconded by Selectman Scanlon. Motion carries, 5-0.

Vice Chairman Jeannotte asked for a vote on the nomination. The vote was unanimous.

Chairman Jeannotte opened the floor to nominations for Clerk.

> **Motion:** By Selectman Wojtas to nominate Eric Dahlberg as Clerk. Seconded by Selectman Scanlon.
>
> **Motion:** By Selectman Wojtas to close nominations. Seconded by Selectman Scanlon. Motion carries, 5-0.

Vice Chairman Jeannotte asked for a vote on the nomination. The vote was unanimous.

Other Business:

Chairman Jeannotte distributed a list of committees that typically have a Selectman liaison. She asked each Board member to review the list and let her know of their liaison preferences.

There was a discussion regarding the Board's representative to the Master Plan committee. It was noted that the Board's representative is not required to be a sitting Selectman. Philip Eliopoulos can remain as the Board representative, subject to the request of the current Board and its chairman.

Adjournment:

> **Motion:** Selectman Wojtas made a motion to adjourn at 5:40pm. Selectman Dahlberg seconded the motion. Motion carried, 5-0.

Respectfully submitted,

Pat Wojtas, former Clerk of the Board of Selectmen

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
April 13, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements

- **Arbor Day Proclamation**

Open Session

Scheduled Business

7:30 p.m. **Bellisimo Pizza – Common Victualer**

7:35 p.m. **Morton Jaguar Service – Change of Manager**

7:40 p.m. **Chelmsford House of Pizza – Revocation of Liquor License**

7:45 p.m. **Vote on Recommendations for Town Meeting**

Town Manager Reports

BOS Meeting Minutes

- BOS Regular Meeting Minutes March 23, 2009
- BOS Work Session Minutes April 2, 2009

Unscheduled Business

- Board of Selectmen Meeting Schedule
- Greener Chelmsford Initiative

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: TBD

***** This meeting is televised. *****

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

MINUTES
April 13, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:00 PM.

Chairman Jeannotte wished to welcome the new Selectmen, Mr. Scanlon and Mr. Dixon.

Chairman Jeannotte granted a Moment of Silence in memory of Jane Drury, who recently passed away. Ms. Drury was an active historian.

Former Selectman William Dalton was presented with an engraved chair in recognition of his contributions while serving the Board of Selectmen. Mr. Dalton thanked everyone who assisted him over the years, and will cherish the gift.

Public Service Announcement

Arbor Day Proclamation
Lorraine Liver of the Chelmsford Garden Club was present to accept the Proclamation, which was read by Selectman Wojtas. Ms. Liver announced an Arbor Day event open to the public, to be held at the Garrison House on April 24, 2009, at 3:30PM

Open Session
John Edward, Precinct 5, came forward to explain that the owner of the Mobile Home Park is now charging $40.00/month in additional fees to the tenants to cover his increased tax bill, as decided by the Board of Assessors. The park owner is not pursuing his case in court, due to other legal obligations. He came before the Board as a concerned citizen, as he feels legislators will become involved, the Town will ultimately lose their case, and will be responsible for legal fees. Chelmsford is the only community to tax mobile homes in the Commonwealth. Mr. Edward asked the Board to work with Mr. Cohen to resolve this issue. Chairman Jeannotte appreciated his input, but due to pending litigation, she was not at liberty to discuss the matter.

Sal Lupoli, 47 Grandview came forward to request an additional meeting to answer questions and refute incorrect information that is being disseminated about the Billboard Warrant Article. Chairman Jeannotte explained the issue would be debated at Town Meeting, and the Board would address the article further later this evening.

Jack Fletcher, 43 Steadman St. asked the Board to support the Billboard Article, as there is a strong need to acquire a turf playing field, and using a billboard was originally suggested as a way to fund the project.

Mary Jo Welch, Precinct 2, spoke as a board member of Pop Warner Football, and requested the Billboard Article be allowed to go to Town Meeting. Mr. Cohen explained there would be an information session for Town Meeting representatives at the Police Station on May 22, 2009 at 7PM where the warrant articles would be explained. Chairman Jeannotte explained how information is relayed to other Boards, and suggested that supporters could promote their cause at Town Meeting.

Stephanie Bush came forward to announce a Blood Drive at Hannaford Supermarket on April 18, 2009 from 9AM-3PM. There will also be a Taste of Hope wine tasting fundraising event on May 15, 2009 from 6-9PM in Billerica. She can be reached at 978-808-6023 or visit www.teamhope.info for questions.

Karen DeDonato, 4 Archambault Way asked residents to let their Town Meeting Representatives know how they feel about the billboard issue. She presented the Board with a handout to discuss the Nashoba Valley Technical School's request for above minimum funding. She feels NVTHS can look into their other resources for this funding, as all towns are having financial difficulties. She requested the Board work with the Finance Committee to reach out to other communities in NVTHS's district to hold the school to the same financial constraints that all public schools are dealing with at this time.

Marian Currier spoke on behalf of the Chelmsford Scholarship Fund to announce their "Dancing With the Stars" event being held on April 24, 2009 at the Princeton Lounge. Tickets may be obtained at Harrington's Liquors, or by calling 978-256-6115.

Lynn Marcella spoke on behalf of the Chelmsford Parade Committee to announce their fundraising event "Chelmsford Stars Come 4th". Auditions will be held on May 12, 2009. The final contest will be held on May 27, 2009. Contestants will be competing for cash prizes and a chance to sing during the Town's July 4th celebration.

Brian Reidy also spoke on behalf of the Chelmsford Parade Committee to announce that raffle tickets have been mailed out, and requests residents' support, as no Town funds are used for the parade, and support is appreciated.

Jeff Hardy also spoke on behalf of the Chelmsford Parade Committee showed a sample of banners can be purchased for $500.00 to support the parade. The banners are hung around Chelmsford Center and around the Common. Mr. Hardy announced that Bill Dalton has been chosen to be the Parade Marshall this year.

John McDonald, 194 Dalton Rd. noted that proceeds from the billboard being erected behind Alpine Butcher Shop and the billboard being erected in Tyngsboro near the Chelmsford line are going to benefit private entities. He would like to see Chelmsford's billboards benefit the Town.

Scheduled Business
Bellisimo Pizza-Common Victualer license

Mr. Aleks Keka was present for questions. He is the new owner of the former Papa John's location. The Board of Health has approved the application, and the new restaurant will use the same floor plan as the prior restaurant.

Motion: by Selectman Wojtas to grant a Common Victualer License to Aleks Keka for Bellisimo Pizza at 83 Parkhurst Rd, Unit 5. Hours of operation being Monday through Thursday 10:30AM-11:00PM, Friday and Saturday 10:30AM-12:00AM and Sunday from 11:00AM-10:00PM, with a seating capacity of 12. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Morton Jaguar Service-Change of Manager
Eric Wright, the new manager, was present to answer questions.

Motion: by Selectman Wojtas to approve the change of manager at Morton's Jaguar Service from from Brian Morton to Eric M. Wright, dba Morton Jaguar Service. Seconded by Selectman Dahlberg. Motion carries,unanimous.

Chelmsford House of Pizza, Revocation of Liquor License
The proprietor has paid for the Common Victualer License, but has not paid for the liquor license. He has agreed to surrender the liquor license, and the Board is required to make a formal vote.

Motion: by Selectman Wojtas to revoke the Beer and Wine License for Chelmsford House of Pizza and Seafood of 10 Vinal Square for failure to pay the required license fees. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Vote on Recommendations for Town Meeting
Draft motions have been completed and approved by Town Counsel. Mr. Cohen explained the highlights and considerations for each of the articles.

Article 1 covers reports of town officers and town committees.

Article 2 discusses amending the FY 2009 Budget. Mr. Cohen noted continuing clean-up efforts from the winter storms.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 2 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 3 discusses the FY2010 Budget, and includes 22 line items to be approved. Mr. Cohen summarized decreases, and noted the School committee is still finalizing their portion. The Finance Committee did not approve the Nashoba Valley Technical High School (NVTHS) portion of the budget.

Chairman Jeannotte left the meeting for the discussion regarding NVTHS.

Selectman Scanlon stated that he did not support the figure for NVTS because that school, like Chelmsford public schools, should be making cuts to help address the ongoing fiscal challenges.

Motion: by Selectman Dahlberg to recommend approval of the Nashoba Valley Technical School portion of Article 3. Seconded by Selectman Dixon. Selectman Scanlon opposed, all others in favor. Motion carries (3-1).

Sam Poulten, 16 Berkeley Drive and NVTHS Board member, addressed the Board. He encouraged residents to attend NVTHS' April 14th meeting.

Chairman Jeannotte returned to the meeting following this vote.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 3 as presented. Seconded by Selectman Scanlon. Motion carries, unanimous.

Article 4 covers increases to the Sewer Enterprise fund. Mr. Cohen explained how the fund works and that the increase was required for capital improvements.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 4 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 5 discusses the Finance Committee Reserve Fund, in the amount of $150,000.00.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 5 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 6 seeks renewal of the annual revolving funds for the Town Clerk, Council on Aging, Police Department and Inspection Department.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 6 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 7 appropriates a list of amounts in order to finance the FY2010 Capital Improvement Program.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 7 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 8 would appropriate $325,000.00 from the Chelmsford Forum Special Revenue Fund to replace the roof of the forum.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 8 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 9 transfers $25,000.00 of funds from grave and lot sales to a fund used for Cemetery Improvement and Development.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 9 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 10 would authorize the Board of Selectmen and/or Sewer Commissioners to acquire necessary easements for completing the Sewer Project (e.g.Tuttle Road pump station) .

Motion: by Selectman Wojtas to recommend approval of Warrant Article 10 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 11 is to return an easement previously granted to the Sewer Commission on a pump site in the Park Rd./Cambridge St. area that was rejected by the DEP.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 11 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 12 would authorize the Town to acquire land at Smith St. as part of the Transportation Improvement Project. Sidewalks would be extended.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 12 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 13 would accept Park Place as a public street.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 13 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 14 would accept the Community Preservation Committee's plan/funding pools for FY2010.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 14 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 15 would authorize the Board of Selectmen to acquire the specified parcel of land at Pond St.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 15 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 16 would appropriate a sum of money for the preservation of the Forefathers Burial Ground. This article was withdrawn.

Article 17 would amend the Town's Wetlands Bylaw.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 17 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 18 would allow for the creation of an Agricultural Commission.

Motion: by Selectman Wojtas to recommend approval of Warrant Article 18 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 19 would amend the town zoning bylaw to allow billboards. After review of past questions and concerns, motion was deferred to a work session to be held on April 21, 2009 at 6PM.

Town Manager Reports

Annual Reports submitted by National Grid and Verizon on the status of the Underground Project were received. Mr. Cohen is still waiting for answers, there is pending litigation on surcharges being assessed. Mr. Cohen is aware that Verizon is being affected by a decrease in land line use, and that National Grid is applying for requests for underground conduit. The Home Rule petition was not acted on by the legislature this year.

Most of the work has been done to complete the unisex/handicap accessible restroom at Jones Farm, as confirmed by Ralph Hickey.

Mr. Cohen announced that US Census takers would be in neighborhoods, and carried official identification and GPS devices.

The Career Center of Lowell is providing a 7 week work experience internship for youths between the ages of 14-24 meeting federal economically disadvantaged criteria. The Career Center has asked Mr. Cohen to identify potential worksites for the youths.

Mr. Cohen received a Legal Notice for a Public Hearing to be held on May 6, 2009 at 8PM for the proposed Rangeway Rd. 40B development, in Billerica. There may be a need to spend $4,000.00.-10,000.00 to survey, research and peer review drainage impacts to Chelmsford. The Conservation Agent has visited the to perform a wildlife assessment. Mr. Cohen agreed to keep the Board updated.

Ed Roux can no longer serve on the Personnel Board, as he is now on the Planning Board. Deb Mungovan has resigned from the Personnel Board. Both openings will be advertised.

Mr. Cohen will be submitting applications for 3 officers under the COPS grant program. The deadline for filing is April 14, 2009.

Mr. Cohen is looking for more applicants for the Town Hall Utilization Committee.

Town wide brush pickup by the DPW has begun. Residents are asked to pile their brush in front of their properties. Each week a different section of town will be picked up.

The Master Plan Committee will be holding their Business Input Forum on May 6, 2009 from 7:30-9:30AM at the Police Station's Community Room. All business people in Chelmsford are encouraged to attend.

A letter requesting transfer of licenses will be forthcoming from the new owners of the Village Grille location.

BOS Meeting Minutes

BOS Regular Meeting Minutes March 23, 2009
Motion: By Selectman Wojtas to approve the regular meeting minutes of March 23, 2009, as presented. Seconded by Selectman Dahlberg. Selectmen Scanlon and Dixon abstained, motion carries, all others in favor.

BOS Work Session Minutes April 2, 2009

Motion: By Selectman Wojtas to approve the Work Session Meeting Minutes of April 2, 2009, as presented. Seconded by Selectman Dahlberg. Selectmen Scanlon and Dixon abstained, motion carries, all others in favor.

Unscheduled Business

Meeting Schedule
Mr. Cohen circulated a preliminary schedule of BOS meetings from April through August. This does not include work sessions.

Greener Chelmsford Initiative
Selectmen Dahlberg and Wojtas presented information on a proposal called "Greener Chelmsford Initiative" which asks Chelmsford business owners to voluntarily promote practices that encourage recycling, reuse and reducing through a series of tasks outlined in the proposal. Participating business will obtain a "Seal of Approval" based on the extent to which they follow the program. Many of these tasks are being performed in Town Hall already.

Selectmen Referrals
Selectman Scanlon:
No referrals.

Selectman Dixon:
No referrals.

Selectman Dahlberg:
He will be attending the Suburban Coalition Breakfast on April 14, 2009.

Selectman Wojtas:
She encouraged residents to attend the Annual Poetry Slam being held at the Library on April 24, 2009 at 7:30PM.
Town-wide Clean-up will begin on April 25, 2009, with a Fair on the Common from 12-3PM.

Selectman Jeannotte:
No Referrals.

Press Questions
None.

Executive Session
None needed.

Next Regular Meeting: May 11, 2009

Motion by Selectman Wojtas to adjourn the meeting at 10:15PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
Work Session Agenda
April 21, 2009

Town Offices
50 Billerica Rd.

6:00 p.m. Call to Order

Scheduled Business

- Board Recommendation on Article 19
- BOS Liaison Assignments
  - Vote NMCOG Liaison Assignment

Town Manager Report

- Sealer of Weights and Measures
- Budget Update

Next Regular Meeting: May 11, 2009

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES- WORK SESSION
Tuesday, April 21, 2009
50 Billerica Rd, Chelmsford

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Selectman Clerk
Sean Scanlon, Selectman
George Dixon, Selectman
Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 6:05 p.m.

Scheduled Business

Board Recommendation on Warrant Article 19 – Billboards:
The Board and Town Manager engaged in a discussion on Town Meeting Warrant Article 19 – Billboards bylaw. Chairman Jeannotte asked if an amendment made to the draft bylaw would be included in a motion to recommend approval. Mr. Cohen stated that it would. Chairman Jeannotte requested additional information on the revenue estimates for billboards. Mr. Cohen stated that this information would be provided at a later date.

> **Motion:** by Selectman Wojtas to recommend approval of Warrant Article 19 as presented. Seconded by Selectman Dahlberg. Motion carried unanimously (5-0).

Board Liaison Assignments:
Chairman Jeannotte stated that work on BOS liaison assignments for 2009 is underway and that a comprehensive list of assignments would be distributed to Board members at a later date. She stated that there is one liaison assignments that requires a vote of the Board: liaison to NMCOG.

> **Motion:** Selectman Dahlberg moved to appoint Selectman Wojtas to serve as Board representative to NMCOG for the next year. Selectman Dixon seconded. Motion carried unanimously (5-0).

Town Manager Reports

Sealer of Weights and Measures:
Mr. Cohen stated that it is necessary for Board to vote on Sealer of Weights and Measures fee schedule for the year-long period beginning May 1, 2009.

> **Motion:** Selectman Wojtas made a motion to approve proposed fee schedule as distributed in hard copy to the Board. Selectman Dahlberg seconded the motion. Motion carried unanimously (5-0).

Budget Update:
Mr. Cohen provided the Board with a detailed update of the budgetary situation for the remainder of fiscal year 2009 and looking ahead to fiscal year 2010. He stated that it appears the FY 2010 budget will be finalized in time for the start of the fiscal year – July 1, 2009, but that it's a fluid situation and financial models are in turmoil. He stated that he, like many in local government, awaits the release of the Legislature's municipal relief proposals. Selectman Jeannotte asked if a special town meeting may be required if the finalized state budget necessitates revisions to the town's budget. Mr. Cohen stated that that is a possibility, but that it would likely not happen until after June.

Selectman Referrals:

Selectman Wojtas:

1. The launch of the Greener Chelmsford Initiative will take place at 5:00 PM on April 22nd, Earth Day, at Moonstones Restaurant.
2. She attended the Billerica Housing Partnership's recent meeting on the Aspen Apartments 40B proposal. Concerns were raised by speakers regarding the impact that the development would have on town sewer, schools, and Chelmsford abutters.
3. She visited Jones Farm to check on status of accessible bathroom. Progress is being made.
4. There are concerns that pedestrians are not making use of designated crosswalks in the center. It may reach a point where town action may be necessary.

At this point in meeting, ADA Coordinator Ralph Hickey appeared and addressed Board to report his findings on progress being made at Jones Farm related to accessible bathroom. He stated that the facility is now in compliance.

Selectman Referrals (continued):

Selectman Scanlon:

1. He prepared a draft letter to Chelmsford's legislative delegation – circulated previously among Board members - expressing concerns about current configuration of House districts of which Chelmsford is a part. After some discussion, Board decided to table letter for a later date.

Selectman Dahlberg:

1. A resident has asked for clarification on rumors that a "group home" may be moving to town. Mr. Cohen clarified that a facility for mentally-challenged adults, all with full-time aides, will be operating in town in the near future. Facility's operators will be reaching out to abutters.

Chairman Jeannotte:
None

Motion: There being no further business, Selectman Wojtas made a motion to adjourn meeting. Selectman Dahlberg seconded the motion. Motion carried unanimously. Meeting adjourned at 7:31 PM.

Next Regular Meeting: May 11, 2009

Respectfully submitted,

Eric R. Dahlberg
Clerk

CHELMSFORD BOARD OF SELECTMEN
Meeting
April 27, 2009

Town Offices
50 Billerica Rd.

6:30 p.m. Call to Order

Scheduled Business

- Café Madrid – Increase of Hours
- Public Hearing - Elks – Alteration/Increase of Premises

Town Manager Report

- Purchase & Sale – Pond Street

Next Regular Meeting: May 11, 2009

Town of Chelmsford
Board of Selectmen Minutes
Senior Center
75 Groton Road
N. Chelmsford, MA 01863

WORK SESSION MINUTES
April 27, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 6:30 p.m.

Town Manager Reports

Purchase and Sale Agreement – Pond Street
Mr. Cohen provided the Board with a summary of the Purchase and Sale Agreement for the Pond Street property – to be executed contingent upon favorable action by Spring Town Meeting.

Scheduled Business

Café Madrid – Increase of Hours
Representatives of Café Madrid were present to request an increase of hours of operation.

Motion: Selectman Wojtas moved to approve the request for an increase of hours of operation at Home of the Famous Cuban, DBA Café Madrid, from 6 AM-11 PM 7 days per week to 6 AM-1 AM, 7 days per week. Selectman Dahlberg seconded the motion. Motion carries, unanimous.

Public Hearing – Elks - Alteration/Increase of Premises
A representative of the Chelmsford Elks was present to request an alteration of premises at Littleton Road.

Motion: Selectman Wojtas moved to close the public hearing. Selectman Dahlberg seconded the motion. Motion carries, unanimous.

Motion: Selectman Wojtas moved to waive the two week waiting period and approve the request for an alteration/increase of premises, to include an additional building at the Chelmsford Lodge of Elks Club on their all alcoholic club license, contingent upon final inspections from the building inspector and board of health, with an increased seating

capacity for the new building for 275 for the function hall and 83 for the members lounge. Selectman Dahlberg seconded the motion. Motion carries, unanimous.

Unscheduled business
Chairman Jeannotte stated that the Master Plan Committee will be inviting the Board to a future meeting to provide input as part of the Master Plan process.

Chairman Jeannotte asked for feedback on a suggestion, previously raised by Selectman Scanlon, to draft and submit a letter to Chelmsford's delegation on Beacon Hill expressing the Board's concerns about the 2010 redistricting process. After some discussion, Chairman Jeannotte suggested that this topic be placed on the agenda for an upcoming work session. The Board agreed.

Chairman Jeannotte stated that Board liaison assignments will he distributed Thursday.

Chairman Jeannotte reported that she received an "urgent" email earlier today from Representative Atkins' office seeking endorsement of the Board of an increase to the state sales tax from 5% to 6.25%. Representative Atkins wanted a decision by 3pm today. Chairman Jeannotte sought the view of the Board, noting that it requested a very fast decision and the time had elapsed. Selectman Scanlon noted the very short notice. Selectmen Dahlberg and Wojtas opposed the tax increase. Chairman Jeannotte was offended by the threat that our local aid could be dependent on our support of the tax. After discussion, the Board decided to not respond to the request, or take any official vote on the matter.

Motion: Selectman Wojtas made a motion to adjourn at 7:20 PM. Selectman Dahlberg seconded the motion. Motion carries, unanimous. Meeting adjourned

Respectfully submitted,

Eric R. Dahlberg
Clerk

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
April 30, 2009

Town Offices
50 Billerica Rd.

6:30 p.m. Call to Order

Scheduled Business

- One Day Beer & Wine License - St John the Evangelist, May 8, 2009
- One Day Beer & Wine License - St. Vartanantz, May 9, 2009
- BOS Liaison Assignments

Town Manager Report

- Pond Street Purchase and Sale Agreement
- Town Halls Utilization Study Committee Appointments

Unscheduled Business

- Town meeting follow-up

Executive Session

- John Giorgio - Litigation Update

Next Regular Meeting: May 11, 2009

Town of Chelmsford
Board of Selectmen Minutes
Senior Center
75 Groton Road
N. Chelmsford, MA 01863

WORK SESSION MINUTES
April 30, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 6:30 p.m.

Scheduled Business

One Day Beer and Wine License – St. John the Evangelist, May 8, 2009
The Board considered a request for a one day beer and wine license for St. John the Evangelist for May 8, 2009.

Motion: Selectman Wojtas moved to approve the request for a one day beer and wine license for St. John the Evangelist for May 8, 2009 from 6:00 p.m. to 11:00 p.m. Selectman Dahlberg seconded the motion. Motion carries, unanimous.

One Day Beer and Wine License – St. Vartanantz, May 9, 2009
The Board considered a request for a one day beer and wine license for St. Vartanantz for May 9, 2009.

Motion: Selectman Wojtas moved to approve the request for a one day beer and wine license for St. Vartanantz for May 9, 2009 from 6:00 p. m. to 11:00 p.m. Selectman Dahlberg seconded the motion. Motion carries, unanimous.

Amendment to Common Victualer License – Princeton Station
Mr. Cohen requested that the Board amend the license to clarify that seating capacity should be 250, not 300 as stated on license as it was previously approved. This request is made following a question of the facility's capacity after the recent "Dancing with the Stars" event. The Building Inspector clarified that 250 is the correct figure, not 300.

Motion: Selectman Wojtas moved to approve the license amendment to reflect 250 seating capacity. Selectman Dahlberg seconded the motion. Motion carries, unanimous.

Lodging House License – Boardinghouse of Leo Forcier
Mr. Cohen requested that the Board grant a Lodging House License to the Boardinghouse of Leo Forcier. Mr. Forcier, who had previously obtained such a license for his business,

recently visited the Town Manager's office and explained that he was still in business and expressed an interest in obtaining a proper license.

Motion: Selectman Wojtas moved to grant a Lodging House License to the Boardinghouse of Leo Forcier contingent upon recertification of the requested occupancy limit. Selectman Dahlberg seconded the motion. Motion carries, unanimous.

Board Liaison Assignments
A list of 2009 Board of Selectmen liaison assignments was distributed to the Board members.

Town Manager Reports

Purchase and Sale Agreement – Pond Street
Mr. Cohen reviewed pertinent terms and requested Board approval of the Purchase and Sale Agreement for the Pond Street property, to be acquired with Community Preservation Funds. The document has been reviewed by Town Counsel.

Motion: Selectman Wojtas moved to approve the execution of the Purchase and Sale Agreement for the four parcels at the Pond Street property, contingent upon approval at Town Meeting. Selectman Dahlberg seconded the motion. Motion carries, unanimous.

Town Halls Utilization Study Committee Appointments
Mr. Cohen requested the Board's approval for his five appointments to the Town Halls Utilization Study Committee:

William Gilet, 5 Sharon Avenue
Matthew Hanson, 16 Wedgewood Drive
Gail Kruglak, 17 Bentley Lane
Fred Merriam, 8 Lovett Lane
Steve Roberts, 11 Crooked Spring Road

Motion: Selectman Wojtas moved to support the Town Manager's appointments to the Town Halls Utilizations Study Committee. Selectman Dahlberg seconded the motion. Motion carries, unanimous.

Motion: Selectman Wojtas made a motion to adjourn the regular meeting at 7:00 PM and to go into Executive Session for purposes of discussion pending litigation, not to return to the regular meeting. Selectman Dahlberg seconded the motion. Roll Call:

Selectman Wojtas: AYE
Chairman Jeannotte: AYE
Selectman Dahlberg: AYE
Selectman Dixon: AYE
Selectman Scanlon: AYE

Regular meeting adjourned at 7:00 PM.

Respectfully submitted,

Eric R. Dahlberg
Clerk

Town of Chelmsford
Board of Selectmen Minutes
Senior Center
75 Groton Road
N. Chelmsford, MA 01863

EXECUTIVE SESSION MINUTES
April 30, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Selectman

Paul Cohen, Town Manager
John Giorgio, Town Counsel

Chairman Jeannotte called the meeting to order at 7:00 p.m.

Update on Pending Litigation by Town Counsel
Town Counsel John Giorgio provided the Board with a summary of pending legal cases involving the Town. He distributed a hard-copy list of all cases and made brief remarks for a few cases of note.

Motion: Selectman Wojtas made a motion to adjourn the Executive Session. Selectman Dahlberg seconded the motion. Roll Call:

Selectman Wojtas: AYE
Chairman Jeannotte: AYE
Selectman Dahlberg: AYE
Selectman Dixon: AYE
Selectman Scanlon: AYE

Executive Session adjourned at 7:20 PM.

Respectfully submitted,

Eric R. Dahlberg
Clerk

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: April 2, 2024 **Time:** 5:30 pm

Location: Town Office Room Number: 201

Name of Building

Bullard Rd

Street Address

Elizabeth H. Delaney

Town Clerk's Signature

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, April 13, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd

Street Address

Elizabeth H. Delmey

Town Clerk's Signature

3/13/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Work Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Tuesday, April 21, 2009 **Time:** 6:00 pm

Location: Town Offices Room Number: 204

Name of Building

56 Billerica Rd.

Street Address

Elizabeth H. Delmey

Town Clerk's Signature

T. Delmey 4/14/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

work session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Mon. April 27 2009 **Time:** 6:30 pm

Location: Senior Center Room Number: hall

Name of Building

75 Groton Rd

Street Address

Elizabeth H. Dewey

Town Clerk's Signature

T. Dewey 4/15/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

w/ Exec Session

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: April 30 **Time:** 6:30 PM

Location: Senior Center Room Number: _____

Name of Building

75 Groton Road

Street Address

Town Clerk's Signature

Clerk/Bd. Member & Date

MAY 09

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
May 11, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements

- Philip Eliopoulos – Master Plan Update
- Memorial Day Proclamation
- ICLEI Climate Change Resolution

Open Session

Scheduled Business

7:30 p.m. **Jim Murphy – Byrnes Grant Approval**

7:40 p.m. **David Hedison & Evan Belansky – Affordable Housing Issues**

8:00 p.m. **Center Water District – Annual Update**

Town Manager Reports

- Approval of closing documents for Pond Street Property

Unscheduled Business

- Greener Chelmsford Initiative Update

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: June 1, 2009

***** This meeting is televised. *****

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

MINUTES
May 11, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Selectmen Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager

7:00PM
Chairman Jeannotte called the meeting to order.

Public Service Announcements

1) Committee Openings

Chairman Jeannotte announced new committee appointments will be coming up in June. The Personnel Committee, Agricultural Commission, and Celebration Committee all have openings, interested people should apply as soon as possible. The Parade Committee is also looking for volunteers to help on July 4th.

2) Philip Eliopoulos-Recognition of Service

Former Selectman Philip Eliopoulos was presented with a chair in recognition of his contributions while serving the Board of Selectmen. Mr. Eliopoulos thanked everyone who assisted him over the years, and stated that he will remain available to assist the Town when needed.

3) Philip Eliopoulos-Master Plan Update

Mr. Eliopoulos encouraged the public to attend the committee's meetings, which are held on the second and fourth Thursdays of each month, at Town Hall. The next public forum would held on June 3, 2009 at the Senior Center, from 7-9 PM, and would discuss Land Use, Zoning and Housing. Everyone is invited to attend. Input forms are available on the Town's website, or via the blog at http://chelmsfordmasterplanprocess.blogspot.com. Pat Maloney is scheduled to do a presentation on Building Use at the May 14, 2009 meeting. Mr. Eliopoulos invited the Board of Selectmen and the Town Manager to attend a meeting, perhaps in June, in order to provide their perspective of where they would like to see Chelmsford in ten years. The Committee would like to present a Plan to the Planning Board by February, 2010. A similar presentation should be ready for the Board of Selectmen in March. A formal presentation should be ready in time for April 2010 Town Meeting.

4) Memorial Day Proclamation

Selectman Wojtas read the Proclamation, which was accepted by Regina Jackson, Veterans Agent. Ms. Jackson announced there will be a parade beginning at 10AM on May 25, 2009 which will proceed from 90 Groton Rd (American Legion) to Vinal Square. All Board members are welcome to march in the parade. Groups should assemble at 9:30AM in the Legion's parking lot. All veterans are encouraged to wear their medals in the parade.

Posts 212 and 313 will be replacing flags at the 6 cemeteries in town on Saturday, May 23, 2009. A wreath will be placed at the Veteran's Memorial Park. The White House has sanctioned a Moment of Remembrance at 3PM on May 25, 2009. More events will be posted as they are known.

A new stone is being erected at the Veteran's Memorial Park. People interested in adding names to the wall can contact Ms. Jackson at 978-250-5238 for more information.

5) ICLEI Climate Change Resolution

The Town of Chelmsford has been formally accepted as a participant into the International Council of Local Environmental Initiatives (ICLEI) for Sustainability. Jennifer Almeida announced that she is looking to create a team of people to help determine which greenhouse gases need to be focused on and develop an action plan to reduce them. The Energy Conservation Committee has already begun some of the work. Mr. Cohen announced there is a potential for future committees and public input sessions to educate the public on how to reduce certain greenhouse gases and pollution. Ms. Almeida stated data collection would begin with 2007, to include efforts already made.

Open Session

No one came forward at this time.

Scheduled Business

1) Police Chief James Murphy-Byrnes Grant Approval

Chief Murphy had several announcements for the public. The Click-It-or Ticket campaign was started today. A $25.00 fine will be enforced as a way to entice more drivers to comply with the Seatbelt Law.

A wreath will be laid at the grave of late officer Don Adams in recognition of National Police Officers week. The flag will be at half-mast on Friday May 15, 2009 as a memorial gesture.

The police Department is eligible for $21,102.00 in Byrne Grant funding, formal approval of which must come from the Board of Selectmen. The funding will be used to maintain additional staffing on Thursday, Friday and Saturday between the hours of 12PM and 12AM, for up to 70 shifts, using existing staff. These shifts have been identified as having high call volume, and is the most effective use of the grant money.

Motion: by Selectman Wojtas to approve application for $21,102.00 in Byrne Grant Funding to staff up to 70 shifts with an additional officer on Thursday, Friday and Saturdays between 12PM-12AM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

2) David Hedison and Evan Belansky-Affordable Housing Issues

A powerpoint presentation entitled "The State of Affordable Housing in Chelmsford-An Examination of Strategic Planning and Process" was shown and narrated by Mr. Hedison and Mr. Belansky. The purpose of the presentation was to describe the roles and responsibilities of the Chelmsford Housing Authority and strategies they have used to create affordable housing in Chelmsford. The Town is under statutory requirement to have 10% of its housing deemed "Affordable". Mr. Hedison explained how the income requirements under the current laws still make rents unaffordable for applicants. Chelmsford is currently at 7.5% of the required limit for affordable housing, and needs 336 more units to comply with the requirement. Mr. Hedison explained that under current Chapter 40B guidelines, units would have to be produced to equal 27 more projects of the same size and density as the proposed Hillside Gardens, a 44 unit condominium complex, or 2.5 more complexes the size of Kensington Apartments, a multiple building complex. The gentlemen noted that at this time, no advocacy group exists to help the Town negotiate with private developers, and they recommended that an "Affordable Housing Committee" be appointed. The Board noted that a similar committee existed at one point, but over time and through periods of transition (people leaving), the group stopped meeting. The Committee could identify and prioritize existing Town land for housing, partner with the CHA or developers to address the situation, and educate the community and other stakeholders regarding truly affordable housing. Mr. Belansky suggested that a guidebook be created to inform developers what types of housing the Town desires, with preferred guidelines, as a way to make future negotiations easier. Mr. Hedison explained for the Board difficulties in managing Affordable housing, including deed restrictions, income verification processes, monitoring agents, and managing the waiting list. Chairman Jeannotte explained the Board will have more discussion on this issue, and thanked Mr. Hedison and Mr. Belansky for their informative presentation.

3) Center Water District-Annual Update

John Harrington, Ron Wetmore and Bob Delaney were present to discuss the annual update on what the Water District has been doing. George Allen provided information on conservation efforts, management of supply and demand, and explained how the Summer Water Management Program operated. Mr. Allen explained tap water benefits public health, fire protection, and improves quality of life. These aspects are discussed at the state level as well. Mr. Allen noted many people take water for granted, and he explained some of what is involved in providing water to consumers. A map showed which areas were handled by each of the three water districts in Chelmsford. Pictures of the facilities and equipment were displayed, as well as distribution and supply and demand charts. A list of recent activities completed and current projects were also displayed. Chairman Jeannotte asked how Chelmsford's usage for water compared to other areas. Mr. Allen explained Chelmsford is at 62 gallons capita per day, where the average is 65 gallons capita per day. Selectman Dahlberg asked if the districts could be consolidated. Mr. Wetmore explained that the rate payers would need to express that desire. Home Rule petitions would need to be filed, and there is a legislative process that would be completed. When the South Chelmsford district merged with another Chelmsford district in 1985, the process took almost 5 years to complete. Selectman Scanlon requested an update on the North Chelmsford Water District project, and was told they are still negotiating the easement with National Grid. The water district representatives explained water in different parts of town has different mineral and coloration issues, and each plant is set up to deal with the issues in that area.

4) Town Manager Reports

1) Town Counsel is finalizing the closing documents for the purchase of 4 parcels of land on Pond St., which was approved at Town Meeting under Article 15. Mr. Cohen requested the Board to authorize Town Counsel as the agent for the Town to take the necessary steps to complete the transaction. Issues of back taxes, 21E environmental evaluation and the title have all been cleared.

Motion: by Selectman Wojtas to authorize Town Counsel to be the agent for the Town of Chelmsford to complete the purchase of 4 parcels on Pond St, as approved under Article 15 at Town Meeting. Seconded by Selectman Dahlberg. Motion carries, unanimous.

2) Mr. Cohen provided another State Budget update. Public hearings are ongoing regarding the Municipal Relief Report. Deadlines for energy initiatives grants are next week. Closing reports for FY09 will be presented at the next meeting on June 1, 2009. State budget shortfalls may require further changes to some previously approved line items, which would require Town Meeting approval. Deficit and revenue streams are still uncertain. The state legislature is also working on transportation and pension reform, as well as ethics issues.

   Selectman Dahlberg is scheduled to testify at the Municipal Relief public hearing, and he provided a draft letter to the Board for review regarding health care issues. Selectman Wojtas provided a draft of her letter as well. The Board had no objections or changes to either document as presented. Clarifications are also pending on library certification waiver requests. Selectman Dahlberg will forward an electronic copy of the final documents to the Board.

   Motion: by Selectman Wojtas to endorse Selectman Dahlberg's testimony and letter to the Massachusetts Municipal Association (MMMA). Seconded by Selectman Scanlon. Motion carries, unanimous.

3) **Greener Chelmsford Initiative**: Selectman Wojtas announced that the Greener Chelmsford Initiative has been launched, and local businesses are expressing interest. Several residents have offered to assist in administering the program. Selectman Wojtas nominated Badhri Uppiliappan to be the new director of the Initiative. Nomination seconded by Selectman Dahlberg.

   Motion: by Selectman Wojtas to appoint Bedhri Uppiliappan as the new Director of the Greener Chelmsford Initiative. Seconded by Selectman Dahlberg. Motion carries, unanimous.

5) Selectmen Referrals

Selectman Wojtas:

1) Selectman Wojtas requested an update on the Billboard article approved at Town Meeting. Mr. Cohen explained the Town Clerk is finalizing the ratification of Town Meeting results with the Attorney General's office. RFP's and awards will still need Town Meeting approval due to land lease limits under current town bylaws being 5 years, and two of the proposed billboard locations have land conveyance issues. The town is still establishing RFP and bid processes, which will hopefully be ready in time for Fall Town Meeting.

2) Selectman Wojtas received an e-mail that solar panels on the Choice Project and the Senior Center will be provided at zero cost to the Town. A grant has also been approved for solar panels for the library. The library is undergoing an engineering review to see if the roof structure can support the weight of the panels. Solar panels for other municipal buildings are being pursued through other grant opportunities.

3) All senior facilities will now be equipped with gas generators, in the event there is another power outage situation like the one experienced after the December 11, 2008 ice storm.

4) The next Billerica Zoning Board meeting for the Aspen Apartment project in Billerica will be held on June 3, 2009. A three month extension for their decision has been granted.

5) The Westford Planning Board is holding a public hearing for a proposed asphalt plant to be constructed on Route 40. The proposal calls for two 30,000 gallon storage tanks, and one 10,000 gallon fuel tank. A traffic study has been completed. The applicant is seeking a permit to allow 1,000 tons of production per day. The plant will have 3-5 employees, and will start operations at 5AM. Noise and emissions are to be discussed at a meeting being held on May 18, 2009.

Selectman Scanlon:
No referrals.

Selectman Jeannotte:
The first meeting of the Town Hall Utilization Committee has been held.

Selectman Jeannotte will be attending the next leadership meeting with the School Dept. to discuss budgetary changes and other issues. She asked Selectman Wojtas to also attend.

Jim Pearson and Ralph Hickey are studying curb cuts on Route 110. They are reviewing potential ADA issues.

The MMA has re-appointed Selectman Jeannotte to the Personnel and Labor Relations Policy Committee . This is one of six standing policy committees of the Massachusetts Municipal Association.

Selectman Dixon:
No referrals.

Selectman Dahlberg:
No Referrals.

Press Questions

Rita Savard of the Lowell Sun asked if a timeline has been established for creating the Affordable Housing Committee. Chairman Jeannotte explained the Board will be determining their annual goals and priorities over the next several weeks.

Executive Session
None needed.

Next Regular Meeting: June 1, 2009

Motion: by Selectman Wojtas to adjourn the meeting at 9:40PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
Work Session Agenda
May 14, 2009

Town Offices
50 Billerica Rd.

6:00 p.m. Call to Order

Scheduled Business

- **Bellisimo Pizza revocation of Common Victualer License**
- **Common Victualer License – The Barking Pig**
- **Aspen Apartments – Drainage Study & Town Boundary Survey**
- **Investment Policy – John Sousa**
- **Fraud Risk Assessment Policy – Darlene Lussier**

Town Manager Reports

- **Bid Award: Revaluation**

Unscheduled Business

- **Master Plan Committee Special Municipal Employee Designation**
- **BOS / TM Goals and Objectives**

Next Regular Meeting: June 1, 2009

APPROVED AS AMENDED 7-13-09

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

WORK SESSION MINUTES
May 14, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 6:04 p.m.

Bellisimo Pizza, Common Victualer License
Mr. Cohen asked the Board to revoke a Common Victualer License to Bellisimo Pizza.

Motion: Selectman Wojtas moved to revoke a CVL to Bellisimo Pizza located at 83 Parkhurst Road, Unit 5. Selectman Dahlberg seconded the motion. Motion carries, unanimous.

The Barking Pig, Common Victualer License
Mr. Ryder, operator of the Barking Pig, described his business and stated that he was looking to open June 1st. Mr. Cohen noted that a final inspection from the Board of Health needed to take place.

Motion: Selectman Wojtas moved to approve a CVL to the Barking Pig, LLC at 257 Littleton Road, with the hours of operation seven days a week 7am-9pm. Contingent on Board of Health final approval. Selectman Dahlberg seconded the motion. Motion carries, unanimous.

Master Plan Committee Special Municipal Employees
Master Plan Committee Vice Chair Mr. Philip Eliopoulos came before the Board and stated that he has requested designation as a Special Municipal Employee, as a member of the Master Plan Committee. Having served the Town as a Selectman for 12 years, he was excluded during that time from representing legal clients before any town board. He noted that any recommendation to any Boards from the Master Plan Committee is given as a committee and not as an individual. The final recommendations of the Master Plan Committee will be voted upon by the Planning Board.

Chairman Jeannotte stated that, per discussion with Town Counsel, the granting of such status under the Conflict of Interest Law is at the discretion of the Board. If granted, it must be made for the entire Master Plan Committee and can be revoked by the Selectmen

at any time. Selectman Wojtas stated that while not a Selectman, Mr. Eliopoulos is still seen that way by some members of the community. Selectman Dahlberg asked if there was any cost to the Town. Mr. Cohen informed Selectman Dahlberg that there was no cost to the town. Mr. Scanlon expressed a concern with setting a precedent with the designation. Mr. Cohen clarified that this designation is granted to other officials in town, including the Moderator and the members of the Sewer Commission.

Motion: Selectman Dahlberg moved to approve designating the members of the Master Plan Committee as Special Municipal Employees. Selectman Scanlon seconded the motion. Motion carries (3-2, Selectman Wojtas and Selectman Dixon no)

Aspen Apartments-Drainage Study & Town Boundary Survey
Mr. Cohen stated that there were drainage and boundary concerns. Mr. William Griffin, resident of Bishop Street (Minutes Recorder is also a resident of Bishop Street), stated that he attended the Billerica hearings and that the Billerica ZBA was looking for answers from the applicant of the proposed 40B development. Mr. Griffin stated that there was a hearing on June 3rd and that there were concerns with the topology of the proposed site in Billerica and nearby in Chelmsford. Mr. Griffin noted that after severe weather the street floods near numbers 1 and 3 Bishop Street. Mr. Griffin stated that the Chelmsford storm drain can not handle the added flow from the Billerica project. Also the proposed site can not handle an on-site treatment plant to prevent the use of the Chelmsford lines.

Mr. Griffin stated that wetlands and vernal pools have been identified on the proposed site. Selectman Wojtas asked if the Town Boundary line had been established. Mr. Cohen stated that the boundary work had not been done and that he was working with counsel. Mr. Cohen corroborated Mr. Griffins comments that the Billerica ZBA was frustrated with the applicant because nothing is getting done and the answers are changing. Selectman Dahlberg asked what Billerica gets out of the project. Mr. Griffin stated that Billerica gets a way to handle their 40B crisis. Chairman Jeannotte asked why this cannot be done by the Town Engineer. Mr. Cohen states that the expertise does not exist in house. He also stated that the own can't reach out to VHB, an Engineering company because they are already involved in the project and that is why the Board has information on Horsley Witten Group.

Selectman Dahlberg asked where the money for the engineering study would come from. Mr. Cohen stated that the Board used to have an Engineering line in the budget but due to the current state of the budget a transfer may be needed.

Motion: Selectman Wojtas moved to award a contract not to exceed $10,700 to Horsley Witten Group for a groundwater study for Aspen Apartments. Selectman Dahlberg seconded the motion. Motion carries, unanimous.

Investment Policy, John Sousa
Chairman Jeannotte stated that policy proposals were being presented relative to the audit recommendations. She suggested that they not be voted on at the same meeting as first

presented, and if members had further questions, they could further review prior to a vote at the next meeting.

Mr. Sousa and the finance team presented the investment policy for the Board to review. Mr. Sousa stated the policy draft is more comprehensive than MGL. He explained the Scope, Objectives, Safety, Liquidity, Yield Investment Instruments, Restrictions, Investments of Trust Funds, Relationship with Financial Institutions/Investments and Ethics. Chairman Jeannotte asked if the Board could receive quarterly reports rather than semi-annually. Mr. Sousa stated that with limited staff semi-annual was workable. The policy was largely based on the Mass Treasurers and Collectors policies.

Fraud Risk Assessment Policy, Darlene Lussier
Ms. Lussier explained the Fraud Policy and reviewed actions to be taken, misappropriation of assets, fraudulent financial reporting, general policy and responsibility, and process for reporting.

Mr. Cohen stated that both policies were reviewed by counsel.

Town Manager Report, Bid Award Reevaluation
Mr. Cohen requested a vote from the Board to appoint a new vendor to reevaluate commercial property.

Motion: Selectman Wojtas moved to approve the Town Manager bid award to Vision Appraisals for $40,500 for commercial and industrial properties not to exceed $55,000 real estate consultants to reevaluate Personal Property for Fiscal Year 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS/Town Manager Goals and Objectives
Chairman Jeannotte explained the expectation for goal-setting for the year and the items that needed to be considered. Mr. Cohen reviewed the four main goals from FY 2009: Financial Responsibility, Community Engagement, Economic Development Strategy and Capital Facility Planning. A list of possible Board and Town Manager action items was prepared to facilitate discussion.

Selectmen Dixon suggested for goals the need for community involvement, affordable housing and green energy. He asked about wind energy and if the Town had looked into this source of energy.

Selectman Scanlon suggested for goals the redevelopment of the Town Center, recruiting businesses and possible saving with snow and ice.

Selectman Dahlberg suggested for goals the pursuance of the GIC and a possible Regionalization Task Force. Selectman Wojtas commented on NMCOG and their regionalization efforts. Selectman Dahlberg also commented on the lack of racial minorities in local government.

Chairman Jeannotte suggested for goals recognizing town employees and volunteers, reviewing town meeting practices, and water district consolidation. It was suggested to look into the consolidation of the water districts. Selectman Wojtas suggested an Affordable Housing Plan for the Town. Selectman Scanlon suggested looking into a parking solution for Vinal Square.

Chairman Jeannotte suggested bringing the debt schedule up to date and requested the schedule for exempt and non exempt debt at the next Board meeting. The Board discussed creating Board policies on Open Space in Town and the need for clarification of what is in the Board purview.

Motion: Selectman Wojtas made a motion to adjourn at 9:12pm. Selectman Dahlberg seconded the motion. Motion carries, unanimous. Meeting adjourned

Respectfully submitted,

Patrice Garvin

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, May 11, 2009 **Time:** 7:00 pm

Location: Town Offices (Name of Building) Room Number: 204

50 Bellevue Rd. (Street Address)

Elizabeth H. Delmey — T. Clancy 4/30/09

Town Clerk's Signature — Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Work Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Thurs. May 14, 2009 **Time:** 6:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd

Street Address

Elizabeth A. Delmey

Town Clerk's Signature

5/4/09

Clerk/Bd. Member & Date

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
June 1, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements

- Town Halls Utilization Study Committee Public Forum

Committee Vacancies

Open Session

Scheduled Business

7:30 p.m. **Café Madrid – All Alcohol License, Change of Location**

7:35 p.m. **Chelmsford's United Auto Group – Revoke Class II Auto Dealers License**

7:36 p.m. **Common Victualer License – Drum Hill Pizza**

7:38 p.m. **John Sousa – Borrowing for FY 2010 Capital Expenditures**

7:40 p.m. **Hillside Gardens Regulatory Agreement**

7:45 p.m. **Jim Pearson - Street Acceptance - Park Place, Lady Slipper Lane**

8:00 p.m. **North Water District – Annual Update**

Town Manager Reports

- FY 2010 Budget
- Community Energy Challenge

Town Manager Appointments

-

Town Manager Bid Awards

- Chelmsford Forum Roof Replacement

BOS Meeting Minutes

- BOS Reorganization Meeting April 9, 2009
- BOS Regular Meeting Minutes April 13, 2009

***** This meeting is televised. *****

Unscheduled Business

- Investment Policy
- Fraud Risk Assessment

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: June 15, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

MINUTES
June 1, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Sean Scanlon, Selectman
George Dixon, Jr, Selectman
Paul Cohen, Town Manager

Not Present:
Eric Dahlberg, Clerk

Chairman Jeannotte called the meeting to order at 7:00 PM.

Public Service Announcements

Town Halls Utilization Study Committee Public Forum
Chairman Jeannotte & Steve Roberts announced there will be a public hearing at the Old Town Hall on June 10, 2009, at 7:00 PM. Mr. Roberts added that any suggestions are welcome, as the committee is in the process of developing a vision, and is looking for 5-10 year financially viable proposals to occupy and support the building. Selectman Dixon will be the Board's liaison to this committee.

Master Plan Public Forum
The Master Plan Committee is holding a public hearing at the Senior Center on June 3, 2009, 7-9 PM, to discuss Economic Development, Land Use and Zoning, and Housing. All residents are encouraged to attend.

Westford Planning Board-Asphalt Plant Rt. 40
A public input session is set for June 2, 2009 at the Nabnassett Lake Country Club, beginning at 6:00 PM, to discuss the proposed asphalt plant to be built on Rt. 40, near the Chelmsford town line.

Committee Vacancies
Interested applicants can review available town committee positions on the Town's website. Applications are also available on the site.

July 4th Parade
Residents should go to www.chelmsfordparade.com for information on Chelmsford's 2009 July 4th parade. No town funds are used to support the parade. Support through the purchase of raffle tickets is greatly appreciated.

Open Session
Scott Leeburg, 266 Groton Road, wished to express the concerns of many people in regard to the changing operations of the proposed asphalt plant on Rt. 40 in Westford. Changes include the possibility of 24/7 operations, up to 150 trucks /day coming and going from the facility, and pending noise and air quality studies. Scotty Hollow development is the closest residential area to the plant, and is in Chelmsford, not Westford. Mr. Leeburg asked who was going to monitor the plant and the licensing & certification of employees. Mr. Leeburg asked if speed limits on Rt. 40 would be enforced, and who would monitor compliance with EPA guidelines. He would like to know what recourse is available for nearby Chelmsford residents.

Chairman Jeannotte explained the Board would participate in the process on behalf of the residents as much as possible. Mr. Leeburg explained that Richard DeFeliz has proposed a mining operation if the asphalt proposal fails.

John Pecora, 249 Groton Road, explained that Chelmsford residents were not properly notified of the asphalt plant proposal. His concerns include health and financial issues, and the effects on residential zoning and property values in their area. Newport Materials trucks have already caused damage to telephone and electric lines. Increased truck traffic at all hours needs to be looked at further.

Gegik Nanukian voiced his concern about increased pollution, traffic and noise from trucks as a result of the asphalt plant.

Diane Cloutier, 258 Groton Road, expressed her concerns about increased truck traffic, and additional ramp being installed for Rt. 3, increased hours of operation and environmental hazards created by the building of the asphalt plant.

Karen DeDonato, 4 Archambault Way, provided Board members with a handout regarding her follow-up with other towns, after Town Meeting, regarding the budget issue with Nashoba Valley Technical High School (NVTHS). She is asking the school to fund their own budget with their reserve funds until they receive potential stimulus payments. All cities and towns are struggling financially. She would like to see all the towns that NVTHS services work together, rather than individually with the school. Chairman Jeannotte suggested that these suggestions should be brought before the NVTHS school committee. On the Town's behalf, Mary Frantz of the Finance Committee follows the school's budget. The financial statements for the school are available to the public. Ms. DeDonato explained the records are difficult to obtain. Selectman Wojtas agreed to follow up with the Finance Committee liaison.

Scheduled Business

Café Madrid-All Alcohol license, Change of Location
Joseph Shanahan of Shanahan and Associates spoke on behalf of the owners of Café Madrid. Larry and Yazmin Fadjo were also present for questions. The applicants are changing their location from 28 Alpine Lane to 116 Chelmsford St. In the new premises, they are increasing their seating from 36 to 60, and will offer a full service bar. They are working on zoning and administrative issues with parking, as they are anticipating future expansion. The original license was granted in January, 2008, and there have been no incidents. The applicants are also requesting to move their entertainment license to the new location. An addendum was included to change the area from 2400 sf. to 2600 sf. Selectman Wojtas confirmed there would be no

outside seating, and the restaurant would maintain the same hours of operation, 7-1AM. The entertainment license is for radio and live music. No further questions from the Board, no comments from the audience.

Motion: by Selectmen Wojtas to close the Public Hearing. Seconded by Selectman Dixon. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve a Change of Location and change of Description of Premises for the Home of the Famous Cuban, LLC, d/b/a Café Madrid from 28 Alpine Lane to 116 Chelmsford St., Unit 6 on it's All Alcoholic Restaurant License and Entertainment License. Approval of license is contingent upon final inspection from the Building Inspector and the Board of Health, with a seating capacity of 60. Seconded by Selectman Scanlon. Motion carries, unanimous.

Chelmsford United Auto Group-Revoke Class II Auto Dealers License
No one was present on behalf of Chelmsford United Auto Group.

Motion: by Selectman Wojtas to revoke the Class II Auto Dealer's License for Chelmsford United Auto Group, Inc., 9 Butterfield St., due to their bond having expired, and the business appears to be closed permanently. Seconded by Selectman Dixon. Motion carries, unanimous.

Common Victualer License-Drum Hill Pizza
Josif Bigiku was present for questions. He explained he is the new owner of the Papa John's location, and has many years in the restaurant business. He is aware of the complaints by neighbors of the former owner. He will be at the establishment 7 days/week, and will deal with employee issues accordingly. He wishes to make renovations, including adding 12 seats and updating equipment. Selectman Scanlon verified that the hours listed on the application are incorrect. The restaurant will be open from 11AM-10PM on weekdays and Saturday, and from 11AM-9PM on Sundays.

Motion: by Selectman Wojtas to approve a Common Victualler License for Drum Hill Pizza, 83 Parkhurst Rd., Unit 5, with a seating capacity of 12. License shall be contingent upon obtaining a Food Service Permit. Hours of operation will be 11AM-10PM on weekdays and Saturdays, and 11AM-9PM on Sundays. Seconded by Selectman Dixon. Motion carries, unanimous.

John Sousa-Borrowing for FY2010 Capital Expenditures
Mr. Sousa explained that he is requesting approval of the useful life of thirteen pieces of Town equipment so that he can match the borrowing terms with the useful life of the items. The items are financed through auctioning of bond anticipation notes, and requesting bids on general obligation bonds. Chapter 44 requires life limits on equipment between 5-15 years be approved by the Board of Selectmen. Mr. Sousa gave examples of how various projects were financed in the past. Mr. Cohen explained methods of financing have changed based on interest rates, which need to be locked in soon. Most equipment is lasting longer than the period it is being financed for.

Motion: by Selectman Wojtas that the maximum useful of the departmental equipment listed below to be financed with the proceeds of the $736,887 borrowing authorized by the vote of the Town passed April 27, 2009 (Article 7) is hereby determined pursuant to G.L. c.44 subsection 7(9) to be as follows:

Purpose:	Borrowing Amount:	Max. Useful Life:
Staff Vehicle	$36,000.00	6 years
Fire Alarm Truck	52,673.00	6 years
Sander	30,000.00	6 years
Six-Wheel Truck	120,000.00	11 years
Front Loader	156,000.00	11 years
Sidewalk Plow	130,000.00	11 years
Half-Ton Pickup Truck-Highway	30,000.00	6 years
One Ton Dump Truck	40,000.00	6 years
Rack Truck	44,000.00	6 years
½ T. Pickup Truck-Pub. Facilities	22,000.00	6 years
Electrical Van	26,000.00	6 years
Pickup Truck	30,000.00	6 years
Boiler Steamer	20,214.00	6 years

Seconded by Selectman Dixon. Motion carries, unanimous.

A debt schedule will be provided for the next meeting.

Hillside Gardens Regulatory Agreement
Attorney Doug Hausler spoke on behalf of the developer. The draft regulatory agreement has been reviewed by the developer, Town Counsel, and the Town Manager. Once approved at this level, the document is forwarded to DHCD for final approval and execution. This document was a standard uniform application modified to include the addition of the Chelmsford Housing Authority as the monitoring agent. This document is recorded at the Registry of Deeds before any permits can be issued.

Motion: by Selectman Wojtas to support and approve the Hillside Gardens LIP Project Regulatory Agreement document as presented. Seconded by Selectman Dixon. Motion carries, unanimous.

Jim Pearson-Street Acceptance, Park Place, Lady Slipper Lane
Mr. Pearson explained both streets were previously approved at Town Meeting, and both projects are now complete. Street Acceptance Forms, Legal Descriptions, Easement Documents, Acceptance Plans and Layout Forms were submitted for both streets.

Motion: by Selectman Wojtas to accept Park Place and Lady Slipper Lane as public ways in the Town of Chelmsford. Seconded by Selectman Dixon. Motion carries, unanimous.

North Water District-Annual Update
Paul Howard of Tata and Howard spoke on behalf of the North Water District. Bruce Harper was also present for questions. Mr. Howard supplied some statistics for what the District produces and how and where it is utilized. He summarized the DEP consent order, which eventually prompted an application for a Special Permit and Variance to build a new water treatment facility on Richardson Rd. Mr. Howard described required testing of their wells, a Grant that helped fund an audit of their operation, and several rules that dictate how ground water must be treated before it is distributed. Mr. Howard finished by stating the asphalt plant being proposed on Route 40 would not have any effect on the district's existing wells. Selectman Wojtas verified

that the new treatment plant, if approved, must be constructed within 18 months. Selectman Scanlon asked if the district had a backup plan if the permit is denied. Mr. Howard advised they had a 2 year plan, but that the new plant would allow the district to comply with all updated and current DEP requirements. Chairman Jeannotte asked about rates and billing methods, and asked for clarification on how the Town is billed for water, which Mr. Harper agreed to look into. Mr. Howard stated water usage falls within per capita rates established by the Water Management Act. The Board questioned costs of bonding vs. the cost of purchasing water from the City of Lowell. The gentlemen explained that initial cost analysis, which did not include additional distribution costs, made the proposition of purchasing water from Lowell more expensive over time than building a plant to supply properly treated water for the Town directly. The proposal for the new plant will be before the Planning Board on June 24, 2009, and before the Board of Appeals on July 2, 2009.

Town Manager Reports

FY10 Budget status: Mr. Cohen explained that he is still awaiting local aid figures and payment dates from the State legislature. The latest information indicates that Chelmsford could be faced with $1.2 million less than originally projected. This would increase budgeting concerns for the School Department, which is already faced with planning issues for capital improvements during the shortened summer break, and the possibility of cutting 70 employee positions instead of 56. Local aid and municipal relief options may require Town Meeting approval to enforce. A time frame has not been established at the State level, which creates uncertainty in staffing and scheduling at the Town level. Mr. Cohen explained the budgeting process at the State level, and shared everyone's frustration that nothing has been resolved, and may not be until July. Chairman Jeannotte asked Mr. Cohen to look into how other towns are trying to handle negotiations of Health Ins. Issues, particularly in Tewksbury.

The Community Energy Challenge is a program sponsored by the EPA, where an intern from the EPA works with Town officials and employees to reduce municipal energy costs by 10% over a one year period. There will be a presentation in mid-July with more information.

Mr. Cohen has advised the School Department to be prepared in the event a special town meeting is called to act on the Billboard proposal.

Stimulus funding from the Fire Station Grant Program may be announced this week. There a lot of demand nationwide for this funding.

FEMA has agreed to reimburse $103,605.44 for ice storm expenses. Now that brush collection has been completed, Mr. Cohen is requesting reimbursement as soon as possible.

Work is beginning to remove hanger branches and dead limbs from various parts of town.

There will be a Public Hearing in Billerica regarding Aspen Apartments on Wednesday, June 3, 2009, before the Billerica Zoning Board of Appeals. A consultant will be there to discuss drainage issues. A surveyor is still determining the boundary line.

Sichuan Place has applied for a Keno license. A Public Hearing is required if there are any objections. No complaints have been received by Town Hall to date.

Town Manager Appointments
A partial list was supplied of annual Town Manager Appointments. Mr. Cohen reviewed the list, and explained the process for re-appointment.

Motion: by Selectman Wojtas to approve Scott Hammond as Building Inspector effective July 1, 2009. Seconded by Selectman Dixon. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve the list as presented dated May 28, 2009 for Town Manager appointments for the positions of ADA Coordinator (1), Board of Appeals (3), Arts and Technology Education Fund Committee (3), Board of Assessors (2), Bicycle and Pedestrian Advisory Committee (4), Bruce Freeman Rail Trail Liaison (1), Building Inspector and Zoning Enforcement Officer (1), Cable Access Foundation (1), Community Teamwork (1), Conservation Commission (3), Cultural Council (4), Disabilities Commission (4), Emergency Management (6), Fence Viewer (1), Great Brook State Park Advisory Board (1), Hazardous Waste Coordinator (1), Historic District Commission (3), Historical Commission (3), Local Emergency Planning Committee (9), Sexual Harassment Grievance Officer (2), effective July 1, 2009. Seconded by Selectman Dixon. Motion carries, unanimous.

Town Manager Bid Awards
Eleven sealed bids were received for the roof replacement project at the Chelmsford Forum. The Town's consultant, Russo Barr, has recommended the bid be awarded to Wayne Roofing Systems. Gary Persechetti concurred. This is funded by an article of the April 2009 town meeting, which approved up to $325,000. Mr. Cohen explained how excess funds would be accounted for.

Motion: by Selectman Wojtas to approve the bid award to Wayne Roofing Systems for $188,790.00 for the replacement of the roof at the Chelmsford Forum. Seconded by Selectman Dixon. Motion carries, unanimous.

BOS Meeting Minutes
Motion: by Selectman Wojtas to approve the BOS Reorganization Meeting Minutes of April 9, 2009 as presented. Seconded by Selectman Dixon. Motion carries, unanimous.

Minutes from April 13, 2009 are tabled until next meeting.

Unscheduled Business
Copies of the current Investment Policy and Fraud Risk Assessment Policies were presented for the board's consideration by Mr. Sousa, Treasurer and Ms. Lussier, Town Accountant, respectively. These policies were developed based on auditor recommendation, and gave due consideration to best practices. Selectman Wojtas suggested several changes. Updated policies will be voted at a future meeting.

Selectman Referrals

Selectman Dixon:
Selectman Dixon wished to congratulate all Chelmsford graduates.
Selectman Dixon attended the first Town Hall Utilization Study Committee meeting. Organizational efforts and guidelines are being established.

Bordering residents to Carlisle will want to be aware of Sewer hookups beginning in that area. The project involves some non-accepted streets and ways.

Selectman Wojtas:
The School Committee voted to cap bus fees to $500.00/family.
The Lowell Regional Transit Authority has received stimulus funding. Their plans include updating their fleet, installing cameras on buses, installing a gas detection system, installing solar panels on the Hale St. garage, and extending bus routes in town from Lowell to Westford up to 10 trips per day.

Selectman Scanlon:
Selectman Scanlon wished to apologize to the Board for some e-mail confusion.
Selectman Scanlon forwarded some information to Mr. Cohen regarding grant opportunities through the State Farm Insurance Co. re-entering the Massachusetts market for education and public safety products.
The Land Stewards will be working at the Pond St. parcel on Saturday, June 6, 2009. Everyone is welcome to join them.
Selectman Scanlon will discuss Board member conduct at Planning Board meetings with George Zaharoolis.
Selectman Scanlon will be unavailable for meetings from June 22 to June 28, 2009.
A resident would like to know who to contact about leaning telephone poles. Mr. Cohen advised the resident should contact his office, and he would follow up on the request.

Selectman Jeannotte:
Selectman Jeannotte requested clarification of what the Mass. Biotech Silver Rating meant for the Town. Mr. Cohen explained the award is applied for, and is used as an economic development marketing tool for the Town.
Selectman Jeannotte wished to congratulate all scholarship recipients for 2009.
Selectman Jeannotte wished to thank all the volunteers and marchers for the Memorial Day Parade and the other various Memorial Day events.
Selectman Jeannotte attended an informal meeting set up by Mr. Cohen with about 40 residents on Pond St. on May 28, 2009. Concerns were discussed about milfoil contamination in the pond, and security measures for the parking lot and beach area. The group will meet again in June.
State representative Cory Atkins is looking to discuss forming a committee of district leaders. Mr. Cohen agreed to check with Selectman Dahlberg for availability.
The work session scheduled for June 8, 2009 will discuss the goals and priorities for the Board in 2010, as well as the annual evaluations of the Town Manager and Town Accountant. Selectman Jeannotte suggested Board members meet with Darlene Lussier, and Mr. Cohen was asked to forward last year's evaluations to be used as a guide.

Press Questions
No one came forward at this time.

Executive Session
None needed.

Next Regular Meeting: June 15, 2009

Motion by Selectman Wojtas to adjourn the meeting at 10:10 PM. Seconded by Selectman Dixon. Motion carries, unanimous.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
Work Session Agenda
June 8, 2009

Town Offices
50 Billerica Rd.
Room 204

6:00 p.m. Call to Order

Unscheduled Business

- Draft Letter to the Westford Planning Board Regarding Proposed Asphalt Plant off Route 40
- Housing Report – Next Steps
- DPW / Fire Facilities
- Health Insurance Plan Design
- Goals – priorities
- Performance Appraisal Process for Town Accountant and Town Manager

Town Manager Reports
- Economic Development Commission

Selectmen Referrals

Next Regular Meeting: June 15, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

WORK SESSION MINUTES
June 8, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 6:04 PM.

Scheduled Business

Westford Asphalt Plant
A draft letter prepared by Chairman Jeannotte and addressed to the Westford Planning Board was reviewed by members. A meeting is being held by residents of the Scotty Hollow development in Chelmsford on June 15, 2009. Chairman Jeannotte agreed the Board will continue to follow this situation. Selectman Wojtas noted a change to the pledge on operations. The letter will also be sent to Paul Cohen, the Westford Town Manager and Board of Selectmen, and state representative Jim Arciero. The letter will be posted on the Westford town website as a public document.

Motion: by Selectman Wojtas to support the letter from Chairman Jeannotte to the Westford Planning Board dated June 8, 2009. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Performance Appraisal Process for Town Manager and Town Accountant
Copies of last year's evaluations were circulated for members' review. Board members should send comments on the Town accountant's FY 2009 performance to Selectman Wojtas. Comments on the Town Manager's FY 2009 performance should be sent to Chairman Jeannotte. Selectman Scanlon requested a copy of job descriptions for both positions. The Personnel Board has revised the Annual Non-Union Employee Review form for this year as a narrative to cover how last years' goals were met, key performance issues, setting up new goals, and employee comments. Mr. Cohen will forward a template of the new form to the Board. The Board will have a draft evaluation ready by June 19, 2009. The Board noted that many unexpected items occurred during the year that were handled successfully. The Board has not received any indications from residents that Mr. Cohen is not addressing residents' issues as they are raised to his attention, and misunderstandings have been quickly resolved. Chairman Jeannotte requested that Mr. Cohen provide a status report of FY09 goals by June 19, 2009.

Town Manager & Selectmen Goals for FY10
The list of potential FY10 goals, as developed previously, was discussed. Chairman Jeannotte asked for any suggestions, additions or deletions, and input on how to prioritize the goals. It was

noted that some goals were task-oriented as opposed to being part of larger objectives, and some were ongoing. Mr. Cohen intends to have a report from the Permanent Building committee regarding use of Town owned buildings and parcels, as well as an inventory of land in time for Fall Town Meeting. Chairman Jeannotte suggested that Mr. Cohen provide more detailed financial reports to the Board. Mr. Cohen explained detailed financial reports are being provided by the Town accountant to the Finance Committee. Mr. Cohen could not provide more information from the state if it's not been released yet. Mr. Cohen explained he was not sure what Chairman Jeannotte was looking for, and he referenced the roles of the Finance Committee, Town Manager, and Board of Selectmen as articulated by the Town Charter. Other Board members shared Mr. Cohen's and Chairman Jeannotte's frustration that the State has not finalized a FY2010 budget yet, which makes it very difficult to plan for the future.

Possible goals discussed included the following topics: Economic Development, Affordable Housing, Public Outreach, Local Aid considerations, Property Management, Fire Station & DPW facility issues, a review of Town Meeting practices, redevelopment opportunities, determining the role of the Land Stewards, land use on Sunny Meadow Farm, Pond St. concerns, clean energy initiatives, trash collection changes, continuing health insurance negotiations, creating a legislative redistricting committee, Town employee and volunteer service recognition, and future Town public input forums. Mr. Cohen agreed to provide an updated list of prioritized goals for the next work session.

Selectman Referrals:

Selectman Wojtas
The consultant for Chelmsford regarding the Aspen Apartments project was not allowed to speak at the last public hearing in Billerica. The consultant has agreed to attend the next meeting at no charge. Drainage issues are still being discussed, and the hearing is still open.
Selectman Wojtas asked if she would be eligible to vote on the Agricultural Committee applicants due to a conflict of interest.

Selectman Scanlon
The State Farm grant opportunity is still pending
Selectman Scanlon requested a change in how meeting agendas are planned. He prefers to attend more frequent shorter meetings with smaller agendas as opposed to a four hour meeting every two weeks. He felt routine matters could be handled at work sessions.

Selectman Dahlberg
The Rail Trail Committee will be priming boards behind Ginger Ale Plaza for mural painting this Saturday from 1-4PM at Old Town Hall. Donations or lending of rollers, tarps, brushes and talent are welcome.

Selectman Dixon
Selectman Dixon wished to congratulate all school graduates this year.

Chairman Jeannotte
No Referrals.

Next Regular Meeting: June 15, 2009

Motion by Selectman Wojtas to adjourn. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Meeting adjourned at 9:10 PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
June 15, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements

- Recognition of Local Companies– Airvana, Data Watch, Hitite, Zoll

Committee Vacancies

Open Session

Scheduled Business

7:30 p.m. **ATEF Grant Awards**

7:35 p.m. **Revocation of Auto Dealer License - Winner's Circle, 65 Tyngsboro Rd., Business closed**

7:36 p.m. **New Auto Dealer License – C. Catino LLC, 65 Tyngsboro Rd.**

7:40 p.m. **John Sousa - Bond/ BANS Auction - Bid Results & Award**

7:45 p.m. **Jim Murphy – Sex Offender Registry Update**

8:00 p.m. **Master Plan Update – Jim Lane**

Town Manager Reports

- DPW / Fire Facilities
- FY 2010 Budget
- Economic Development Commission
- 1655 Community Service Program
- Big Kahuna Noise Complaint
- Big Kahuna Keno Request
- Cell Tower Proposal

Town Manager Bid Awards

- High School Exterior Restoration
- McCarthy Bleachers

Town Manager Appointments

- See list

***** This meeting is televised. *****

BOS Appointments

- Agricultural Commission
- Capital Planning
- Town Counsel

BOS Meeting Minutes

- BOS Work Session Minutes April 13, 2009
- BOS Work Session Minutes April 21, 2009
- BOS Regular Meeting Minutes May 11, 2009
- BOS Work Session Minutes May 14, 2009

Unscheduled Business

- Investment Policy
- Fraud Risk Assessment Policy
- MassRecycle Bottle Bill Resolution

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: June 29, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

REGULAR MEETING MINUTES
June 15, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman
Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:00 PM.

Public Service Announcements

Recognition of Local Companies - Airvana, Data Watch, Hittite, ZOLL
Chairman Jeannotte stated that the Boston Globe published a list of Top Performing Companies in 2008, four of which are in Chelmsford. Representatives from each company were present to accept a Certificate of Recognition from the Town and to provide a brief summary and history of their company.

- Accepting and speaking for Airvana: Sanjeev Verma, Co-Founder
- Accepting and speaking for Data Watch: John Kitchen, Senior Vice President and CMO
- Accepting and speaking for Hittite: Norm Hildreth, Hittite's Vice President for Sales & Marketing
- Accepting and speaking for ZOLL: Jonathan A. Rennert, President

Committee Vacancies
Chairman Jeannotte provided a list of committee vacancies, and encouraged interested residents to apply online on the Town's website.

Open Session
Laurie Myers, 7 Pine Hill Ave., wished to thank all parties involved in notifying the neighbors about the Level 3 Sex Offender moving into Chelmsford. A forum was held on June 14, 2009 to discuss child safety and other guidelines. A bill is also pending in the legislature. Residents can become informed by visiting www.communityvoices.net .

Andrew Weiner, Precinct 2, asked if the Police Chief could discuss the status of another Level 3 Sex Offender who is currently employed at 4 Kidder Rd., as there is a children's gym area. Chairman Jeannotte explained he could contact the Chief with any questions.

Frances Killam, Courtland Dr., encouraged future notifications on sex offenders, as she has 2 children and has learned that a Level 3 Offender has recently moved to a property that abuts hers.

Scheduled Business

ATEF Grant Awards

Evelyn Thoren spoke on behalf of the Arts & Technology Education Fund. She wished to announce this year's 8 award winners by name, school and their proposed project. Mrs. Thoren presented a history of the how the fund works, and the recipients' responsibilities once the award is given. The ATEF's next fundraiser will be a Spelling Bee at the Radisson Hotel on November 5, 2009. More information is available by visiting www.chelmsfordschoolsfoundation.org, or by calling 978-275-9880 or 978-250-2329.

Revocation of Auto Dealer License-Winner's Circle, 65 Tyngsboro Rd., Business Closed
Mr. Cohen requested that the Board revoke the Class IIAuto Dealer License for Winner's Circle because the business has closed.

Motion: by Selectman Wojtas to revoke Winner's Circle Auto Sales Class II Auto Dealers License at 65 Tyngsboro Rd. due to the fact that the business has closed. Seconded by Selectman Dahlberg. Motion carries, unanimous.

New Auto Dealer License-C. Catino LLC, 65 Tyngsboro Rd.
Christopher Catino was present for questions; he is moving his existing dealership from Peabody to Chelmsford, as he needs more space. This business will tentatively be named Route 3A Auto Sales, and he is obtaining other required licenses as well. He hopes to be open by July 1, 2009. Police Chief Murphy was present, he had no concerns with the application.

Motion: by Selectman Wojtas to approve a Class II Auto Dealers License to C. Catino, LLC 65 Tyngsboro Rd. for 42 vehicles for sale, contingent upon the following: Entire front portion of lot must be utilized, all parking must be on paved areas, customer parking must be provided and signs must comply with local bylaws. Seconded by Selectman Dahlberg. Motion carries, unanimous

John Sousa - Bond/BANS Auction-Bid Results & Award
Mr. Sousa provided the results of the Debt Auction Results held on June 10, 2009. This was for General Obligation Bonds and Bond Anticipation Notes. The Town has a Standard and Poor rating of AA-, which made low interest rates easier to get. Mr. Cohen added an explanation of how the funds are accounted for if a project runs under budget. Chairman Jeannotte commended Mr. Cohen and Mr. Sousa for maintaining a stable outlook for the Town, despite the tough economic conditions. Mr. Cohen will try to get the S&P rating upgraded in September; the stabilization fund balance has been helpful in maintaining the Town's stability.

Motion: by Selectman Wojtas to approve and confirm the sale of $2,457,090 General Obligation Municipal Purpose Loan of 2009 Bonds of the Town dated July 1, 2009 (the "Bonds"), to First Southwest Company at the price of $2,510,499.39 and accrued interest. The Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates as follows:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2011	$327,090	2.00%	2016	$190,000	3.00%
2012	325,000	3.00	2017	190,000	3.50
2013	325,000	3.00	2018	190,000	3.50
2014	325,000	2.50	2019	185,000	3.50
2015	250,000	3.00	2020	150,000	4.00

It is further voted to approve the sale of a $6,399,347 0.50 percent General Obligation Bond Anticipation Note of the Town dated June 18, 2009 and payable on September 18, 2009 (the "Note"), to Eastern Bank at par and accrued interest plus a premium of $96.00.

It is further voted that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 27, 2009, and a final Official Statement dated June 10, 2009, each in such form as may be approved by the Town Treasurer, be and herby are ratified, confirmed, approved and adopted.

It is further voted that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver continuing and material events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Note, as applicable, for the benefit of the holders of the Bonds and Note from time to time.

It is further voted that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts, or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Seconded by Selectman Dahlberg. Motion carries, unanimous.

Mr. Cohen noted he had recently attended a breakfast at the Greater Lowell Chamber of Commerce, and heard the opinion expressed that the debt burden for the Town is low. Chairman Jeannotte commented on the recent Standard & Poor's Credit Profile report, which affirmed the long term rating of the town AA-/Stable, and cited some of the factors in the report, including a projection fo reaching 5% in the stabilization fund by 2012.

Jim Murphy - Sex Offender Registry Update
Police Chief Murphy provided an overview of the Sex Offender Registry, and explained how members of the public can obtain information on registered sex offenders living and or working in Chelmsford. The intent of the law is to educate the public, and prevent further offenses. Chief Murphy defined the 4 classes of offenders, and noted that Chelmsford currently has 26 Registered Level 2 and 4 Registered Level 3 Offenders. The Police Department conducts periodic audits on all Level 2 and 3 offenders. The School Dept. is kept aware of all offenders. Residents were encouraged to contact Officer Jennifer Bellissimo or Inspector Gail Beaudoin for additional information.

Selectman Jeannotte thanked Chief Murphy for his willingness to review and revise policy of the department to begin to directly notify residents in close proximity when a Level 3 Offender moves into the neighborhood.

Master Plan Update - Jim Lane
Jim Lane and Philip Eliopoulos presented a slide presentation on the Master Plan process currently being researched and put together. Selectman Wojtas was advised that the subcommittees' responsibilities included promoting the public input sessions, reviewing subject matter experts, and researching data already collected to coordinate with the data available through NMCOG in six different areas. Selectman Dixon suggested the committee gather additional input from the four companies that were recognized earlier in the meeting. Mr. Lane

explained there is much support for redevelopment, and interest in changing certain zoning and other bylaws. The Committee will return in the fall with another update.

Town Manager Reports

DPW/Fire Facilities
Pat Maloney, Jim Pearson and Fire Chief Jack Parow were present for questions regarding their respective requests. Mr. Cohen explained that the Study Committee charged with looking at alternatives for these facilities presented their findings in March. The suggested building on Alpha Rd. for the DPW is still on the market, and would provide an estimated savings of $20 million over building a new facility on other Town owned land. The deadline for applying for Federal Stimulus Grant money for the construction of a new fire facility is July 10, 2009. Funding is desirable now, as interest rates and real estate markets are low. Mr. Cohen explained current and projected debt service levels, and requested the Board's guidance, as both projects would require Town Meeting Approval and a ballot vote. Discussion was held on potential uses for the old facilities as well as on the effects the construction market has on building costs. Chief Parow cited the need to keep certain pieces of equipment centrally located, and the inadequacies of the current location. Mr. Cohen suggested warrant articles can be posted for a special Town Meeting, possibly in August, with a ballot vote within 90 days of the town meeting . Mr. Cohen will continue working with Chief Parow on the construction grant application.

FY 2010 Budget
The state legislature is scheduled to vote on the budget on Friday, June 17, 2009. Reform legislation is also still pending. Revisions can be completed in time for the Finance Committee meeting on June 25, 2009. Instituting local option taxes will require Town meeting action, constraints and regulations are still pending.

Economic Development Commission
Mr. Cohen asked the Board for support and authorization to create a 9 member economic development commission to develop and recommend proposals, serve as an advocate for current and prospective businesses, inform the public of issues, and work with the Board and Town Manager on specific proposals. Members will serve 3 year staggered terms, and will have a variety of backgrounds, not limited to commercial real estate, finance, development, law and business ownership. Liaisons from the Planning board and Board of Selectmen and the Community Development Director will serve as non-voting members of the commission. Chairman Jeannotte tabled further discussion until the meeting on June 22, 2009.

1655 Community Service Program
Mr. Cohen explained that program would allow town employees to engage in volunteer community service activities for a minimum of 1655 hours per year to support town based and non-profit agencies located within the Town of Chelmsford. Promotional activities and recognition would be ongoing throughout the year. There is no cost to the Town and employees will volunteer on their own time.

Big Kahuna Noise Complaint
Mr. Cohen informed the Board that a letter was sent to Mark Bastien reminding him that his license only allows him to have inside entertainment, and if he requires outside entertainment, he will need to appear before the Board.

Chairman Jeannotte suggested levying the appropriate fines, Selectman Dahlberg suggested revoking the license entirely.

Big Kahuna Keno Request
The Board was made aware that this establishment has requested a Keno license, no hearing is warranted at this time.

Cell Tower Proposal
Mr. Cohen provided the Board with a presentation on Chelmsford Country Club, and stated that a request was received to install a 150 foot tower structure in the area of the Chelmsford Country Club. He stated that no decision was needed this evening. Mr. Cohen saw this as a revenue opportunity for the Country Club, as the popularity of golf is waning, and abutters are requesting netting to be installed to prevent golf balls from damaging their property, which could cost up to $30,000.00. Any decision to locate a tower would require town meeting approval, and a Special Permit from the Board of Appeals. Selectman Wojtas asked about the revenue potential, and Mr. Cohen stated it could be about $25,000 per year.

Brush Clean-Up
Mr. Cohen has submitted the final bills for brush clean up after the ice storm of December 11, 2008 to FEMA for re-imbursement.

July 4th celebration
Mr. Cohen wished to acknowledge the Chelmsford Business Association for donating new flags for the Town Center. The banners also went up this past weekend.

Town Manager Bid Awards

High School Exterior Restoration
Five bids were received. The approved budget for this project is $350,000.00.

Motion: by Selectman Wojtas to award the Chelmsford High School Exterior Restoration contract to Ace Restoration, Inc, 557 Main St., Medford, MA 02155 for the amount of $243,640.00. Seconded by Selectman Dahlberg. Motion carries, unanimous.

McCarthy Bleachers
Three bids were received for this project.

Motion: by Selectman Wojtas to award the McCarthy Middle School-Purchase and Install of Telescoping Gym Seating and Divider Curtain Wall contract to The Robert H. Lord Company, 220 Chapel Rd., Manchester, CT for the amount of $45,924.00. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Chelmsford High School Stadium
Six bids were received for this project, with a budget of $625,000.

Motion: by Selectman Wojtas to award the Purchase and Installation of Bleachers and Press Box Chelmsford High School Stadium contract to E&D Specialty Stands, Inc., PO Box 700, 2081 Franklin St., North Collins, NY 14111 for the amount of $542,530.00. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Appointments
Mr. Cohen requested Board approval for a number of Town Manager appointments.

Motion: by Selectman Wojtas to approve appointments as presented for Council on Aging (3), Energy Conservation Committee (1), Recycling Committee (8), and Sign Advisory Committee (2). Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Appointments

Agricultural Commission
Selectman Wojtas recused herself from this part of the meeting because of a conflict. Eleven applicants were voted on by Board members.

Motion: by Selectman Dahlberg to appoint Glenn Kohl and Charlie Wojtas to 3 year terms, Phil Jones and John Swenson, Jr. to 2 year terms, and Charles Parlee to a 1 year term for the Agricultural Commission. Seconded by Selectman Scanlon. Motion carries, unanimous.

Capital Planning
Chairman Jeannotte requested advertising for interest in this committee. Decision tabled until the first meeting in July.

Town Counsel

Motion: by Selectman Wojtas to appoint Kopelman & Paige, John Giorgio, Esq. for a 1 year term as Town Counsel. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Unscheduled Business

Investment Policy
Mr. Cohen asked for Board approval of the Town Investment Policy as previously presented to the Board.

Motion: by Selectman Wojtas to approve the Town of Chelmsford Investment Policy as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Fraud Risk Assessment Policy
Mr. Cohen asked for Board approval of the Town Fraud Risk Assessment Policy as previously presented to the Board.

Motion: by Selectman Wojtas to approve the Town of Chelmsford Fraud Risk Assessment Policy with corrections to page 4. Seconded by Selectman Dahlberg. Motion carries, unanimous.

MassRecycle Bottle Bill Resolution
Tabled until the next meeting.

BOS Meeting Minutes

BOS Work Session Minutes April 13, 2009
Motion tabled until June 29, 2009. Selectman Wojtas to forward her edits to Selectman Dahlberg.

BOS Work Session Minutes April 21, 2009

Motion: by Selectman Wojtas to approve the Work Session minutes of April 21, 2009 with revisions. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes May 11, 2009

Motion: by Selectman Wojtas to approve the meeting minutes of May 11, 2009 with revisions. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Work Session Minutes May 14, 2009
Motion to approve withdrawn. Selectman Wojtas and Selectman Dahlberg will discuss revisions.

Selectman Referrals:

Selectman Wojtas:
Selectman Wojtas wished to congratulate the Girl Scouts that were recognized in a ceremony at McCarthy Middle School on June 14, 2009.

Selectman Dixon:
Selectman Dixon was very impressed with the four companies from Chelmsford that were recognized earlier in the meeting, and would like the Master Plan Committee to reach out to them for possible economic development ideas.

Chairman Jeannotte:
No Referrals

Selectman Scanlon:
Selectman Scanlon will not be available for the June 22, 2009 meeting. He will forward his evaluation information to Selectman Wojtas prior to June 19, 2009.

Selectman Dahlberg:
No Referrals.

Press Questions
No press representatives were present at this time.

Executive Session

Motion: by Selectman Wojtas to adjourn Regular Session and enter Executive Session, not to return to Regular Session, for the purpose of discussing contract negotiations for non-union personnel. Selectman Dahlberg seconded the motion to adjourn to executive session.

Roll call:
Selectman Dixon: Aye
Selectman Dahlberg: Aye
Chairman Jeannotte: Aye
Selectman Wojtas: Aye
Selectman Scanlon: Aye

Meeting adjourned at 10:50 PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

EXECUTIVE SESSION MINUTES
June 15, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 10:55 PM.

Chairman Jeannotte stated that she requested this Executive Session for the purpose of discussing contract negotiations for non-union personnel. She said the uncertainty of the FY 2010 budget situation raises the question of whether the Board should take a hard look at freezing step increases for non-union employees.

Mr. Cohen stated that he does not believe a vote on this matter by the Board is wise because non-union employees should not be penalized for receiving the same increase that union employees will receive. Such a move would damage morale and would incentivize non-union employees to join and/or form unions.

Mr. Cohen stated further that individual employees have come to him and expressed a willingness to give up step increases.

Selectman Dahlberg stated that he understands Mr. Cohen's perspective, but that the Board should do everything in its power to hold the line on spending. The unions have no credibility in the eyes of the taxpayers.

Mr. Cohen stated that it will be 3-4 days until he has a better understanding of the budget situation (pending action at the state level). He commits that he won't sign any raises between today's meeting and Friday, June 19th.

Chairman Jeannotte stated that she appreciated Mr. Cohen's statement and requested that he provide the Board with an estimated dollar amount savings should steps for non-union employees be frozen. Mr. Cohen agreed to provide such an estimate at a future meeting.

Selectman Scanlon stated that a pay-for-performance model of employee compensation may be something worth considering. Such a model rewards employees that perform well and can save money in the long-run.

Motion by Selectman Wojtas to adjourn the Executive Session. Selectman Dahlberg seconded the motion. Roll Call:

Selectman Wojtas: AYE.
Chairman Jeannotte: AYE.
Selectman Dahlberg: AYE
Selectman Dixon: AYE
Selectman Scanlon: AYE

Executive Session adjourned at 11:35 PM.

Respectfully submitted,

Eric R. Dahlberg
Clerk

CHELMSFORD BOARD OF SELECTMEN
Work Session Agenda
June 22, 2009

Town Offices
50 Billerica Rd.
Room 204

6:00 p.m. Call to Order

Unscheduled Business

- **John Sousa – MWPAT Interim Loan**
- **Budget Update**
- **Special Town Meeting Timeline**
- **BOS Goals – priorities**

<u>Reminder</u>: Town Manager & Town Accountant Draft Performance Appraisal materials are due Friday, June 19.

Next Regular Meeting: June 29, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford MA 01824

WORK SESSION MINUTES
June 22, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman
Paul Cohen, Town Manager

Not Attending:
Sean Scanlon, Selectman

Chairman Jeannotte called the meeting to order at 6:04 PM.

Unscheduled Business

John Sousa-MWPAT Interim Loan
Mr. Sousa asked the Board for approval of a $7.3 million loan for the last phase of the sewer project. The interest rate for the loan is .33%, and is eligible for stimulus funding where up to 8.8% of the principal could be forgiven, for a potential savings of $137,000 in interest over 20 years.

Motion by Selectman Wojtas to support and approve the following:

1. That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed $7,303,603.00 (the "Bonds") pursuant to Chapter 29C and 44 of the General Laws and a vote of the Town passed June 12, 2008 (Article 1), which authorized a total borrowing of $16,000,000.00 for construction of sewers and other water pollution control facilities (the "Project");
2. That in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed $7,303,063.00;
3. That each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust (the "Trust") at a price determined pursuant to the Loan Agreement;
4. That the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Loan Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds and Notes;
5. That all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and

6. That the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreements and the Project Regulatory Agreements relating to the Project.

Seconded by Selectman Dahlberg. Motion carries, unanimous.

Budget Update

Mr. Cohen explained that the Legislature voted on June 19, 2009 to approve the FY10 state budget, which the Governor has 10 days to veto. Due to further reductions in State aid, the Town is looking at a $340,000 shortfall in its budget. Mr. Cohen is awaiting final information from the Department of Revenue and will be meeting with all Town department heads. Mr. Cohen explained the revenue impact of implementing local option taxes and discussed the effects of the approved state budget on the school department budget. Implementation of local option taxes would require approval through a special Town Meeting, as will the final adjustments to the FY10 budget.

Special Town Meeting Timeline

Five articles are proposed to by Mr. Cohen to be decided at a Special Town Meeting tentatively scheduled for Monday, August 17, 2009. Separate articles will address five matters: a local option meals excise tax, a local option hotel room excise tax, final FY2010 Budget adjustments, and separate decisions on DPW and Fire Station facilities. Approval of the Billboard article has not yet been received from the Attorney General's office. Mr. Cohen will try to have warrant articles ready by July 17th, to be signed at the July 27, 2009 meeting. The warrant for the August 17th Special Town Meeting will need to be posted by August 3, 2009. If the DPW and Fire Station facilities articles are approved at the Special Town Meeting, a special election could be called by the Selectmen and would need to occur not earlier than 35 days or more than 90 days from the special town meeting. Chief Parow and Mr. Cohen are working on completing an application for a grant to be used for the fire Station construction project. Pat Maloney, Chief Parow and Jim Pearson will be asked to attend the June 29, 2009 to answer questions about the two proposed projects. The board requested that a leadership meeting be scheduled.

BOS Goals-priorities

A draft list was provided for review. Chairman Jeannotte will give consideration to organizing the list of goals based upon who would be responsible for them, with more specific action steps and measurement criteria. Topics discussed included contract negotiations, 5-year planning, creation of an Economic Development Committee, potential commuter rail project at Vinal Square, creation of an Affordable Housing Committee, land management considerations, financial planning, volunteer recognition program, public input session policy guideline changes, and creation of a Census Outreach Committee. A second draft will be completed and circulated.

Other Business

The Board was given new a new contract document for the dispatchers union for review, as this group is now a separate bargaining unit from the clerical unit. The contract is for the period June 29-June 30, 2009 and the same terms as the prior contract.

The Public Hearing in Billerica for the Aspen Apartments project has been closed, a work session is pending.

Next Regular Meeting is scheduled for June 29, 2009

Motion by Selectman Wojtas to adjourn the meeting. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Meeting adjourned at 9:05PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
June 29, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements

- July 4th Events – Walter Hedlund

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. **Transfer Common Victualer License – Timbo's**

7:32 p.m. **One Day All Alcohol Licenses – St. Vartanantz, July 11 & July 25**

7:35 p.m. **Public Hearing Outdoor Seating – Café Madrid**

7:40 p.m. **Transfer Common Victualer License – Subway in Wal-Mart**

7:45 p.m. **Fire/DPW Facilities – Pat Maloney, Jack Parow, Jim Pearson**

8:15 p.m. **East Chelmsford Water District – Annual Report**

Town Manager Reports

- Economic Development Commission
- 2010 Census Outreach Committee
- Grant notification
- Annual list of qualified officers
- Public Safety Dispatchers Agreement

Town Manager Appointments

- See List

Unscheduled Business

- Schedule Special Town Meeting
- BOS Policies – First Reading
- MassRecycle Bottle Bill
- 66 Graniteville Road, Chapter 61- Right of First Refusal

***** This meeting is televised. *****

BOS Meeting Minutes

- BOS Regular Meeting Minutes April 13, 2009
- BOS Regular Meeting Minutes May 14, 2009

Press Questions

Executive Session

Next Regular Meeting: July 13, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting - MINUTES
June 29, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:03 PM.

Public Service Announcements

July 4 Events -Walter Hedlund
Mr. Hedlund announced the 47th annual July 4th family celebration will commence on July 3, at 6:00PM. A list of events is published in local newspapers and on the Town website. There are 64 booths scheduled for the Common, plus 18 bands and 20 floats scheduled for the parade. Mr. Hedlund thanked everyone involved in organizing these events.

Committee Vacancies
Chairman Jeannotte provided a list of committee vacancies, and encouraged interested residents to apply online at the Town's website.

Open Session
Matt Hanson, 16 Wedgewood Drive, spoke on behalf of the Town Halls Utilization Study Committee. The THUSC's final Public Hearing will be held at the Congregational Church in North Chelmsford on July 9, 2009, 7-9 PM. The final date for public input will be August 8, 2009. Local groups interested in using the Town Halls should contact Trish Dzuris.

Peggy Dunn, 2 Bridge Street, wished to announce the Farmers' Market will begin on the Common on July 9, 2009, 2-6 PM. The markets will be held every Thursday through September 24, 2009, rain or shine. Parking is available at the Central Baptist and Unitarian churches, and at the Old Town Hall.

BOS Meeting Minutes

Regular Meeting Minutes April 13, 2009
Motion: by Selectman Wojtas to approve the regular meeting minutes of April 13, 2009 with changes to formatting, and pages 1, 4 & 5 as discussed. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Work Session Meeting Minutes May 14, 2009
Tabled until next meeting, as the proper copy was not provided to the Board.

Town Manager Reports
Mr. Cohen wished to recognize the Chelmsford Business Association for providing new flags in the Town Center. The flags will be erected for Memorial Day, Flag Day, and July 4th celebrations.

Mr. Cohen requested formal approval to begin recruitment for the Economic Development Commission, consisting of 9 members, 3 year staggered terms. Non-voting members will include liaisons from the Board of Selectmen and Planning Board, as well as the Community Development Director. Appointments would begin in August pending receipt of applications.

Motion: by Selectman Wojtas to support and approve the Town Manager's proposal to form an Economic Development Commission as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Mr. Cohen requested formal approval to form a 2010 Census Outreach Committee. State legislators are promoting public outreach efforts to encourage participation in the census. The census will affect legislative redistricting efforts at the state level. A regional office in Tewksbury will assist in coordination efforts. Mr. Cohen would like to recruit and appoint members for this committee beginning in August.

Motion: by Selectman Wojtas to support and approve the Town Manager's proposal to form the 2010 Census Outreach Committee as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

The new Calendar page on the Town website is under construction due to software changes and new open meeting and state ethics law requirements. The updated site should be ready by July 6, 2009.

Chairman Jeannotte announced that all Boards would be required to attend a two hour training session on the new ethics law in the fall.

A $150,000.00 grant has been awarded to the Town for the Katrina Road site. This is the third grant received as a result of a Brownfield's Credit. Mr. Cohen is awaiting the agreement form to review with the Board.

Scheduled Business

Transfer Common Victualer License – Timbo's
Attorney Andrea Kor spoke for Ren Chu He, the new manager and owner of the Timbo's Restaurant.

Motion: by Selectman Wojtas to approve the transfer of a Common Victualer License for Timbo Restaurant contingent on the review of a seating plan for 8 seats, from the hours of Monday-Thursday 11:30AM-8:45PM, Friday & Saturday 11:30AM-9:45PM, and Sunday 12 noon-8:45PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

One Day All Alcohol Licenses - St. Vartanantz, July 11 & July 25
A 70th birthday and a wedding are to be held at the Church on July 11, 2009 & July 25, 2009, respectively.

Motion: by Selectman Wojtas to approve two One Day All Alcohol Licenses for July 11, 2009 and July 25, 2009 from 3 PM-11 PM, each day for St. Vartanantz Church, 180 Old Westford Rd. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Public Hearing Outdoor Seating - Café Madrid
Larry & Yazmin Fadjo were present for the hearing. The restaurant currently has 60 seats inside. The applicants would like to put 10 of those seats outside on their fenced in patio when weather permits. The total number of seats is not changing; some will come from the bar area and some from the general seating area. All means of egress will be through the restaurant. The Planning Board, Fire Dept., and Ralph Hickey, ADA Coordinator, had no concerns. No comments from the audience, no further questions from the Board.

Motion: by Selectman Wojtas to close the Public Hearing, seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve outside seating for up to 10 tables for Yazmin's Café Madrid, 116 Chelmsford St., Unit 6 as presented, with total seating not to exceed 60. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Transfer Common Victualer License - Subway in Wal-Mart
Mr. Ketan Patel was present for questions as the new owner of the restaurant. The floor plan shows 18 seats, but he intends to only use 16 seats. Mr. Patel is aware he would come back before the Board if more seats are needed.

Motion: by Selectman Wojtas to approve a transfer of Common Victualer License for Subway #31376 at 66-4 Parkhurst Rd., Chelmsford, hours of operation to be Monday through Saturday 8AM - 10PM, and Sunday 9 AM – 9 PM, with a seating capacity of 16. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Reports (continued)

Annual List of Qualified Officers
Mr. Cohen explained that the Town Charter requires him to appoint a backup person to cover for him if he is unavailable. Mr. Cohen appointed Police Chief James Murphy, Public Works Director James Pearson, and Finance Director John Sousa in no particular order to fill this obligation.

Public Safety Dispatchers Agreement
Mr. Cohen provided copies of the recent collective bargaining agreement for the Public Safety Dispatchers, as they have formed their own union separate from the Clerical Union. Pay scales remain the same; all dispatchers will report directly to the Police Chief. The final execution of the document awaits signature.

Motion: by Selectman Wojtas to approve the creation of a separate bargaining unit for Public Safety Dispatchers. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Fire/DPW Facilities - Pat Maloney, Jack Parow, Jim Pearson
Pat Maloney, Jim Pearson and Jack Parow were present for questions regarding their respective requests to move the DPW facility and create a new center fire station. Mr. Cohen explained that the Study Committee charged with looking at alternatives for these facilities presented its full

findings in March, and the slide presentation was reviewed again. The suggested building on Alpha Rd. for the DPW is still on the market, and would provide a savings of $20 million over building a new facility on other Town owned land. Selectman Wojtas verified the building could hold the weight of all the vehicles, which is built on a slab. Selectman Wojtas verified the costs presented include contingency amounts, as actual costs will depend on the bids received. Selectman Dixon and Chairman Jeannotte verified some cost savings that will occur once the DPW is consolidated into one location. Selectman Scanlon clarified why so much space was needed for the various employee functions within the department. Mr. Pearson estimated it would take between 14-20 months to complete upgrades to the building and move the equipment, as well as 42-50 employees. Mr. Maloney explained that equipment, which is owned by the Town, will last longer if it is stored inside. During the winter, the building will be heated to 40 degrees, which will decrease warm-up time, resulting in reduction to pollution, fuel usage, and engine wear. The study committee agreed unanimously that this was the most cost effective option for the Town.

The deadline for applying for Federal Stimulus Grant money for the construction of a new fire facility is July 10, 2009. Mr. Cohen is continuing working with Chief Parow on the grant application. Chief Parow cited the need to keep certain pieces of equipment centrally located, and the inadequacies of the current location. Selectman Scanlon questioned why the proposed new structure was much larger than the existing structure. Chief Parow explained the desire to move large equipment in a drive-through style to increase efficiency and safety of the equipment, which cannot be achieved by staying at the current location. Mr. Maloney pointed out that even if the current structure is repaired, there is still no room for training, decontamination, inadequate living quarters, or equipment storage. The current building may last 2-5 years, but a truck could fall through the floor any day, as the floor has been deteriorating for 20 years. Mr. Cohen stated a new station would be needed in spite of staffing levels. Several alternate locations, staffing needs and response time analyses were discussed. The study group did not agree unanimously on the 5 options presented. Other options included repairing the floor of the existing building, repairing the floor and improving the living conditions in the existing building, purchase an adjacent lot, renovate and expand the existing building, construct a new building on Wilson St. in stages, or construct a full headquarters on Wilson Street now. Mr. Maloney noted that since the study was completed, the lot behind the existing building is no longer available for purchase, and through his work with the Permanent Building Committee, he would now support building a new full headquarters on Wilson St. Dave Turocy of the Finance Committee explained he preferred the option of building a new headquarters; however, he voted for the renovations option due to the potential difficulty in trying to get the public to approve funding for an entire headquarters at this time. Chief Parow felt that renovating the existing structure does not solve any of their storage, training or living quarters issues, and their largest piece of equipment is backed in with dangerous proximity to the door frame and ceiling.

Mr. Cohen explained funding is desirable now, as interest rates and real estate markets are low. Mr. Cohen explained current and projected debt service levels, and requested the Board's guidance, as both projects would require Town Meeting Approval and a ballot vote. Discussion held on potential uses for the old facilities, the effects the construction market has on building costs. The Board agreed separate warrant articles can be posted for a special Town Meeting, possibly in August, with a ballot vote in October. Chairman Jeannotte requested a public input session be held in July, as the warrant for Town Meeting must be signed by July 27. Chairman Jeannotte agreed both projects are needed, but residents may not be able to afford it at this time.

East Chelmsford Water District - Annual Report
A representative of the East Chelmsford Water District spoke on behalf of the district. She thanked the Town for its cooperation and support, as they have gone from a defunct district 10 years ago to a successful district. They have experienced no rate increases in 7 years, and have a good relationship with other districts in town, as well as with the City of Lowell and Town of Billerica. They are coordinating pipe upgrades along with the sewer installation, as well as other major projects. Additional information was provided in a folder given to Board members. They would not be interested in consolidation with the other districts, as they are debt free, and the process is lengthy.

Town Manager Appointments
Motion: by Selectman Wojtas to approve town manager appointments for Bicycle & Pedestrian Advisory Committee (1), Community Action Program Committee (6), Council on Aging (2), Cultural Council (2), Disabilities Commission (2) and Energy Conservation Committee (2). Seconded by Selectman Dahlberg. Motion carries, unanimous.

Unscheduled Business

Schedule Special Town Meeting
Motion: by Selectman Wojtas to approve a Special Town Meeting for August 17, 2009, at 7:30 PM to be held at the Chelmsford Senior Center. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Policies - First Reading
Chairman Jeannotte provided proposed guidelines for Public Input Sessions. A change from current practice would give the Chairman discretion to manage a large session.

Selectman Wojtas provided a proposed policy for Volunteer Recognition. Several changes were suggested.

A revised version of both policies will come back for a vote at the next meeting.

Mass Recycle Bottle Bill Resolution
John Harrington was present to explain that the bill would expand the types of bottles that have deposits on them. Unclaimed refunds are kept by the State. Mr. Harrington stated he has not seen where the State is recycling as promised; creating a burden to the disposal industry. Residents are doing a much better job with curbside recycling, which helps the Town.

66 Graniteville Rd., Chapter 61 - Right of First Refusal
Mr. Cohen explained that the proposal to subdivide this parcel was re-submitted on June 18, 2009. The Town has 120 days to exercise their Right of First Refusal. A conservation Restriction is pending with the Conservation Commission on an open space parcel, and a Historic Preservation Restriction is pending for a barn. The Board noted no other departments were interested in this parcel in the previous discussion. Discussion tabled.

Selectman Referrals:

Selectman Scanlon:
Selectman Scanlon wished to acknowledge the Center Water District for a grant awarded to them to install solar panels.

Selectman Scanlon will be sitting in the dunk tank at the July 4th fair.

Selectman Scanlon requested an update on the golf netting issue at the Chelmsford Country Club. Mr. Cohen and Mr. Pearson could find no written documentation stating that the operator of the club was responsible for installing the netting.

Selectman Wojtas:
Selectman Wojtas provided an update on the Aspen Apartments 40B proposal, stating that the Billerica Zoning Board is preparing to render their decision. The proposal has 29 licensing/permitting activities, and 49 conditions at this time.

Selectman Dixon:
Selectman Dixon wished to acknowledge Nick Romano for achieving the rank of Eagle Scout and for his troop's project at the Veteran's Memorial site in North Chelmsford. There are several troops in Town, and all of their projects are very well done.

Selectman Dahlberg: No Referrals.

Chairman Jeannotte:
Mr. Cohen provided an update on the latest meeting at the Pond St. location, involving local residents, the environmental police, the Fish & Wildlife Board, Bob Morse, and Darren Guertin-Conservation Agent. It was verified that the Town owns no public access for the boat ramp. The existing boat ramp will remain locked, as it poses a public safety hazard. There is not enough room for vehicles to safely load and unload their boats without blocking the public way. No vehicles will be allowed on the beach, boulders have been placed appropriately, signage will be installed, and no life guards will be present. No large boats are allowed on the pond, only kayaks, canoes and similar small boats will be allowed. Picnicking is allowed. The Land Stewards will be advised.

Press Questions
None.

Executive Session

Motion: by Selectman Wojtas to enter Executive Session, not to return to Regular Session, for the purpose of discussing strategy of contract negotiations for non-union personnel. Roll Call Vote:
Selectman Dixon: Aye
Selectman Dahlberg: Aye
Chairman Jeannotte: Aye
Selectman Wojtas: Aye
Selectman Scanlon: Aye

Next Regular Meeting: July 13, 2009

Meeting adjourned at 10:35PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

EXECUTIVE SESSION MINUTES
Monday, June 29, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 10:45 PM.

Chairman Jeannotte stated that she requested this Executive Session for the purpose of discussing contract negotiations for non-union personnel, specifically with regard to the cost of step increases for this category of town employees.

Mr. Cohen stated that the total cost of step increases for non-union personnel for fiscal year 2010 will be $87,000. Selectman Dahlberg asked if this number is a matter of public record. Mr. Cohen replied that it is.

Mr. Cohen then provided the Board with an update on the matter of the state's reduction in funding for the Police Career Incentive Program, also known as the "Quinn Bill" for fiscal year 2010. He stated that total Quinn Bill funding for the town is $400,000, with $200,000 coming from the town. State funding for FY 2010 has been reduced to approximately $38,000. He stated that the town is not obliged to make up for the state's funding reduction and that he has been in contact with the police unions about this matter.

Mr. Cohen also briefly discussed plans for fiscal year 2010 budget adjustments and stated that he would consider employee furloughs if necessary to balance the budget.

Chairman Jeannotte stated that the time is approaching for Mr. Cohen's contract to be reviewed and amended as needed. The Board will address this matter at a future meeting.

Motion by Selectman Wojtas to adjourn the Executive Session. Selectman Dahlberg seconded the motion. Roll Call:

Selectman Wojtas: AYE
Chairman Jeannotte: AYE
Selectman Dahlberg: AYE
Selectman Dixon: AYE
Selectman Scanlon: AYE

Executive Session adjourned at 11:15 PM.

Respectfully submitted,

Eric R. Dahlberg
Clerk

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

✓ 7/13

Name Of Department or Board: Board of Selectmen

Date of Meeting: Mon. June 1, 2009 **Time:** 7:00pm

Location: Town Offices Room Number: 204

Name of Building

56 Belleveau Rd

Street Address

Elizabeth H. Delmey T. Quinn 5/20/09

Town Clerk's Signature Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

7/13

Name Of Department or Board: Board of Selectmen

Date of Meeting: 6/6/01 **Time:** 6 p.m.

Location: Town Hall Room Number: 309

Name of Building

Street Address

Elizabeth H. Delmey

Town Clerk's Signature

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

7/27

Name Of Department or Board: Board of Selectmen

Date of Meeting: Mon, June 15, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

52 Billerica Rd

Street Address

Elizabeth H. Delmey T. Quinn 5/26/09

Town Clerk's Signature Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Work Session 8/10

Name Of Department or Board: Board of Selectmen

Date of Meeting: Mon, June 22, 2009 **Time:** 6:00 pm

Location: Town Offices Room Number: 2011

Name of Building

50 Pulaski Rd.

Street Address

Elizabeth H Delmey

Town Clerk's Signature

6/9/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

8/24

Name Of Department or Board: Board of Selectmen

Date of Meeting: Mon, June 29, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

51 Bellerica Rd

Street Address

Elizabeth H Delmey

Town Clerk's Signature

T. Lewis 8/26/09

Clerk/Bd. Member & Date

Exec Session

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
July 13, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements
- BOS Public Input Session July 22, 7:00 p.m. Senior Center

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. **Class II Auto Dealers License – Northeast Auto Sales Group**

7:35 p.m. **Energy Star Challenge Audit – Gary Persichetti**

Town Manager Contract Awards
- DPW miscellaneous items

Town Manager Reports
- Notice to close Warrant Fall Town Meeting
- Budget Update

Town Manager Appointments
- Council on Aging
- Parade Committee

BOS Appointments
- Personnel Board
- Capital Planning
- Celebrations Committee

BOS Meeting Minutes
- BOS Regular Meeting Minutes April 27, 2009
- BOS Work Session April 30, 2009
- BOS Executive Session April 30, 2009
- BOS Work Session Minutes May 14, 2009
- BOS Regular Meeting Minutes June 1, 2009
- BOS Work Session Minutes June 8, 2009

***** This meeting is televised. *****

Unscheduled Business

- BOS Policies – second reading
- Vote on Performance Appraisal Town Accountant
- Conduct Performance Appraisal Town Manager
- National Grid rate increase

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: July 27, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting MINUTES
July 13, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:02PM.

Public Service Announcements

BOS Public Input Session
Chairman Jeannotte announced there will be a Public Input Session to discuss Special Town Meeting Warrant Articles on July 22, 2009 from 7:15 PM to 9:30 PM at the Senior Center.

Open Session
Peggy Dunn, Precinct 1, announced that the Farmer's Market had a very successful opening day. Special thanks went to the townspeople, Board of Health, Police Dept., and Paul Cohen's office. Restroom facilities are available at Town Hall. Vendors will change throughout the season; suggestions are welcome via chelmsfordfarmersmarket@gmail.com .

Committee Vacancies
Chairman Jeannotte provided a list of committee vacancies, and encouraged interested residents to apply online at the Town's website.

Scheduled Business

Class Two Auto Dealers License - Northeast Auto Sales Group
This application has been postponed.

Energy Star Challenge Audit - Gary Persichetti
Mr. Persichetti was present with Professor Ihab Faraq and Melanie Marxim to explain this voluntary program and the results of the audit that was completed on Town facilities. The audit sets an energy consumption benchmark for gas and electricity, and the Town will endeavor to create a 10% reduction in energy costs over the next year. Charts were presented on each building, along with energy use and reduction goals. Mr. Persichetti noted that past upgrades have already helped create efficiencies, continued upgrades will be done. Consumption data will be continued to be monitored, and the Town can apply for different achievement levels within the program. Similar grants and cost saving opportunities will be researched and applied for as they become available.

Town Manager Contract Awards

DPW Miscellaneous items.
Sealed bids were requested for 12 categories of supplies, reviewed by Jim Pearson and Marian Currier, and awarded accordingly. A complete list of awards was presented for approval.

Motion: by Selectman Wojtas to approve Town Manager Contract Awards for DPW items as presented and reviewed by Jim Pearson and Marian Currier in a memo dated July 7, 2009. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Reports

Notice to close Warrant Fall Town Meeting
Mr. Cohen announced that the deadline to submit warrant articles for the October 19, 2009 Fall Town Meeting is August 7, 2009, 5PM. Notice has been published.

Budget Update
FY2009 was closed on June 30, 2009. All departments except the Board of Health met their budgets and reductions as needed. The Board of Health is resolving a miscalculation issue. Auditors will present their annual report in September. Mr. Cohen expects to return a free cash amount to the stabilization fund. Receipts and Motor Vehicle excise tax revenues came in higher than expected. Darlene Lussier will make a formal report to the Board in August.

State aid numbers for FY2010 came in 10.73% lower than previously expected. Stimulus funding amounts have not been finalized, and so are not considered. A summary sheet showing proposed adjustments for FY2010, and forecast for FY2011 were presented for Board's review. Mr. Cohen will continue to monitor budget, and further adjustments will be made for Fall Town Meeting. Mr. Cohen anticipates further cuts for FY2011 based on continued decline in State revenue.

Affordable Housing Fiscal Impact Study
The Chelmsford Housing Authority has pledged $11,000.00 from the Affordable Housing Trust Fund for an impact study of three 40B projects: Robin Hill Meadows, Woodland Square and Kensington. The study will look at short-term and long-term effects of traffic, schools, revenue records and other municipal functions. Four bid responses were received.

Motion: by Selectman Wojtas to approve bid award to Connery Associates, Melrose, Ma for $10,500.00. Seconded by Selectman Dahlberg. Motion carries, unanimous.

DPW Zoning change
No action is required at this time. Mr. Cohen advised that if the facility on Alpha Rd. is approved for the DPW, a Special Permit would be required from the Planning Board to address the bylaw that hazardous waste is excluded in an industrial use zone. The area is on the cusp of a protected wetland aquifer area. Discussion tabled until after the August Special Town Meeting.

Town Manager Appointments

Council on Aging

Motion: by Selectman Wojtas to approve the appointment of Janet Lovely to the Council on Aging, as recommended by Paul Cohen. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Parade Committee
Motion: by Selectman Wojtas to approve the re-appointment of James Cullen, Mark Duffy, Henry R. Hamelin, Jeffrey A. Hardy, Douglas E. Hausler, Kathy Kelley, Lynn Marcella, Brian Reidy and Rick Romano to the 2010 July 4th Parade Committee, and to approve the new appointment of Janet Granata. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Appointments

Personnel Board
Motion: by Selectman Wojtas to approve the following appointments to the Personnel Board: David Morey and Anneke Wade for the remaining year of vacated two-year terms (to expire 6/30/10) and Diane Bordini and Ellen DiPasquale for two year terms (to expire 6/20/11). Seconded by Selectman Dahlberg. Motion carries, unanimous.

Capital Planning
Motion: by Selectman Wojtas to approve the appointment of Dennis T. Bak and John Morrison to the Capital Planning Committee for one year terms. Seconded by Selectman Dahlberg. Motion carries, unanimous.

These positions were advertised, no additional interest was received.

Celebrations Committee
Motion: by Selectman Wojtas to approve the appointment of Walter Hedlund, Robert Kelley, and Patricia Dzuris to the Public Celebrations Committee for one year terms. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Meeting Minutes

BOS Regular Meeting Minutes April 27, 2009
Motion: by Selectman Wojtas to approve the regular meeting minutes of April 27, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Work Session Meeting Minutes April 30, 2009
Motion: by Selectman Wojtas to approve the work session meeting minutes of April 30, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Executive Session Meeting Minutes April 30, 2009
Motion: by Selectman Wojtas to approve the Executive Session meeting minutes of April 30, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Work Session Meeting Minutes May 14, 2009

Motion: by Selectman Wojtas to approve the work session meeting minutes of May 14, 2009 with corrections to page 2 as discussed. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes June 1, 2009
Motion: by Selectman Wojtas to approve the regular meeting minutes of June 1, 2009 with changes to pages 5, 6 & 7 as discussed. Seconded by Selectman Dixon. Selectman Dahlberg abstained, all others in favor.

BOS Work Session Meeting Minutes June 8, 2009
Motion: by Selectman Wojtas to approve the work session meeting minutes of June 8, 2009 with corrections to page 2 as discussed. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Unscheduled Business

BOS Policies - second reading
Selectman Wojtas explained why certain changes were made to the Volunteer Recognition Policy from the prior reading.

Motion: by Selectman Wojtas to approve a Volunteer Recognition Policy and a Public Input Session Policy as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Vote on Performance Appraisal Town Accountant
Chairman Jeannotte explained the appraisal process, and Selectman Wojtas discussed the highlights of input received on Darlene Lussier. Ms. Lussier has made positive changes to her department, is responsive to all requests, a purchase order system is being fine-tuned as requested, and several goals were listed for her to complete over the next year. Ms. Lussier was encouraged to pursue her continuing professional education, and to work on gaining confidence in public speaking.

Motion: by Selectman Wojtas to approve the performance Appraisal for Darlene Lussier as presented. Seconded by Selectman Dahlberg, Motion carries, unanimous.

Mr. Cohen requested that a step increase to Ms. Lussier's salary be granted. Chairman Jeannotte agreed to discuss this in Executive Session.

Conduct Performance Appraisal Town Manager
Chairman Jeannotte explained the process used for conducting Mr. Cohen's annual review. The Board is developing a new list for the Board's goals, and goals for the Town Manager. The list of categories rated included Fiscal Responsibility (with 5 subcategories), Community Engagement (with 3 subcategories), Economic Development, and Capital Facility Planning. Mr. Cohen has proven effective in handling difficult economic situations, and unanticipated events. Selectman Wojtas applauded Mr. Cohen's efforts at contract negotiations, public appearances, and loyalty from department heads, but raised a concern about possible schedule burnout. Selectman Dahlberg appreciated Mr. Cohen's responsiveness, community involvement, and hours dedicated to the Town. Selectman Dahlberg cautioned Mr. Cohen's rare defensiveness when caught off-guard. Selectman Scanlon observed Mr. Cohen as honest and up front, professional and dedicated to the Town, but also cautioned against burn-out. Selectman Dixon found Mr. Cohen helpful with his transition into the Board, responsive and often available, with no negative concerns at this time. Chairman Jeannotte agreed with all the evaluations, and was confident that the Board and Mr. Cohen would continue to develop working well together.

Mr. Cohen thanked the Board for the privilege of serving the Town, and was proud of everyone who's helped him take the Town through these difficult economic times. Mr. Cohen promised to take some time for himself. Mr. Cohen encouraged the Board to ask questions if they had any concerns, and noted his role as manager is different than the Board's role in leading the Town. Chairman Jeannotte requested final documents from the Board in time for the July 27th meeting, where the Town Manager's appraisal will be voted on. Chairman Jeannotte would also like the final list of prioritized goals to be ready for the same meeting.

National Grid Rate Increase
Mr. Cohen explained that legislative hearings are pending for a rate increase filed by National Grid. The city of Medford has responded with a letter listing their concerns with the filing. Trish Dzuris will be asked to draft a letter on behalf of Chelmsford.

Motion: by Selectman Wojtas to approve submission of a similar letter to that submitted by the City of Medford in regard to the National Grid rate increase. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Selectman Referrals:

Selectman Dixon:
Selectman Dixon wished to acknowledge the great community support for the opening of the Farmer's Market, in spite of the bad weather. He noted that Peggy Dunn is looking for more youth participation.

Selectman Dahlberg:
Selectman Dahlberg noted some solid proposals were given during the Public Input session for the North Town Hall last week.

Selectman Wojtas:
Selectman Wojtas verified that Jim Pearson, DPW, is working on posting proper signage in the Pond St. area.

Selectman Wojtas announced that the Greener Chelmsford Initiative would be presenting more awards to local companies.

Mr. Cohen verified that Goodrich had donated $6,400.00 to support the 1655 Initiative, a community volunteer program.

Selectman Scanlon:
Selectman Scanlon announced he will be under orders with the National Guard during most of the month of August for training in Florida.

Chairman Jeannotte:
Chairman Jeannotte requested that drafts of warrant articles for the August 17th Special Town Meeting be forwarded prior to the July 27th meeting for recommendations of the Board.

Chairman Jeannotte verified that Ballot language is dictated by statute.

Chairman Jeannotte reminded the Board and Mr. Cohen that they were meeting with the Master Plan Committee on July 23, 2009.

Chairman Jeannotte requested an update on illegal dumping occurring around town. Mr. Cohen encouraged residents to report illegal dumping to the police, as it is a crime and an expense to the Town. The DPW is moving boulders onto Pond St., and is aware of multiple sites experiencing illegal dumping. Fines vary by nature of offense.

Chairman Jeannotte noted a lack of response from legislators in planning a commuter rail stop for Chelmsford. Stimulus funding has been awarded to the Fitchburg line. Areas in Haverhill and Lawrence have been discussed. NMCOG is monitoring the situation.

Chairman Jeannotte will be announcing a date for mandatory ethics training in September. All Boards and Committees must attend this training.

Press Questions
Rita Savard of the Lowell Sun requested a copy of the letter from Medford in regard to the National Grid Rate Increase request. Chairman Jeannotte supplied a copy.

Stephanie Seeliger of the Chelmsford Independent requested a copy of the same letter. Goals for the 10% energy reduction in Town Buildings were verified by Mr. Cohen and Selectman Dixon.

Executive Session
Motion: by Selectman Wojtas to enter Executive Session, not to return to Regular Session, for the purpose of discussing collective bargaining negotiations for non-union personnel.

Roll Call Vote:
Selectman Dixon: Aye
Selectman Dahlberg: Aye
Chairman Jeannotte: Aye
Selectman Wojtas: Aye
Selectman Scanlon: Aye

Next Regular Meeting: July 27, 2009

Meeting adjourned at 10:12 PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

EXECUTIVE SESSION MINUTES
Monday, July 13, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 10:15 PM.

Chairman Jeannotte stated that she requested this Executive Session for the purpose of discussing three topics:
(1.) a step increase for the Town Accountant, Darlene Lussier;
(2.) an update from the Town Manager on the Police Career Incentive Program (also known as the "Quinn Bill"); and
(3.) the Town Manager's next contract period.

The matter of a step increase for the Town Accountant for fiscal year 2010 was discussed. Mr. Cohen stated that he believes it would be unfair to treat a non-union employee any differently from a union employee. Selectman Dahlberg stated that he would vote no on the matter because he does not believe a step increase for any employee is appropriate at this time.

Motion by Selectman Wojtas to approve a step increase for the Town Accountant for fiscal year 2010, to Level 8/Step 4. Seconded by Selectman Scanlon.

Roll Call:
Chairman Jeannotte: AYE
Selectman Wojtas: AYE
Selectman Dahlberg: NAY
Selectman Dixon: AYE
Selectman Scanlon: AYE

Motion carries, 4-1.

Mr. Cohen then provided the Board with an update on the matter of the state's reduction in funding for the Police Career Incentive Program, also known as the "Quinn Bill" for fiscal year 2010. He reiterated what he had stated at the 6/29/09 Executive Session meeting of the Board: the town is not obliged to make up for the state's funding reduction. He has been in contact with the police unions about this matter.

The Board then discussed the matter of the Town Manager's next contract period. Mr. Cohen stated that he is not requesting any increase in compensation for fiscal year 2010.

Motion by Selectman Wojtas to accept the Town Manager's offer to maintain his current rate of compensation for Fiscal Year 2010. Seconded by Selectman Dahlberg.

Roll Call:
Chairman Jeannotte: AYE
Selectman Wojtas: AYE
Selectman Dahlberg: AYE
Selectman Dixon: AYE
Selectman Scanlon: AYE

Motion carries, unanimous.

Motion by Selectman Wojtas to extend the Town Manager's current contract to June 30, 2012. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Roll Call:
Chairman Jeannotte: AYE
Selectman Wojtas: AYE
Selectman Dahlberg: AYE
Selectman Dixon: AYE
Selectman Scanlon: AYE

Motion carries, unanimous.

Motion by Selectman Wojtas to adjourn the Executive Session. Selectman Dahlberg seconded the motion.

Roll Call:
Selectman Wojtas: AYE
Chairman Jeannotte: AYE
Selectman Dahlberg: AYE
Selectman Dixon: AYE
Selectman Scanlon: AYE

Motion carries, unanimous. Executive Session adjourned at 11:00 PM.

Respectfully submitted,

Eric R. Dahlberg
Clerk

Town of Chelmsford
Board of Selectmen Minutes
Senior Center
75 Groton Road
N. Chelmsford, MA 01863

PUBLIC INPUT SESSION MINUTES
Wednesday, July 22, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Selectman Clerk
Sean Scanlon, Selectman
George Dixon, Selectman
Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:00 p.m.

SPECIAL TOWN MEETING

Mr. Cohen explained the purpose of the public input session. Mr. Cohen also outlined articles that were being placed on the Special Town Meeting Warrant scheduled for August 17, 2009.

1. Article 1: Local Option Meals Tax - Mr. Cohen explained the article and noted that the town could receive an extra $166,338 in revenues if passed.
2. Article 2: Local Option Room Tax – Mr. Cohen stated that the Town could receive $121,377 in revenue if passed.
3. Article 3: Mr. Cohen stated that need to balance the budget due to state cuts in local aide.
4. Article 4: DPW Facility - Mr. Cohen explained the need for a new DPW facility and the potential purpose of a facility on Alpha Road. Mr. Cohen explained that the property costs $13 million which could be the cheaper option if a new building for the DPW would have to be constructed.
5. Article 5: Fire Facility- Mr. Cohen explained that the current Center Fire Station is in disrepair and there is a need to construct a new facility. Mr. Cohen stated that a new facility could be financed through debt service.

PUBLIC INPUT

1. Deb Glassman, Wellman Ave wanted to see all options discussed for the expense of new DPW facility. Chairman Jeannotte stated that the entire DPW Committee report could be found on-line and that a public hearing was scheduled. Ms. Glassman suggested splitting the tax rate. Mr. Cohen stated that the new DPW facility if purchased was the less costly option. Ms. Glassman asked if a new DPW facility was needed at all.
2. Jim Pinder, Robin Hill Road was not in favor of adding to the tax bill through new facilities. Mr. Cohen explained excluded debt and how much it would cost the tax payer until FY15. Mr. Pinder also mentioned Aggregate and limiting the

hours of their operation. Mr. Cohen did not know of any laws that could regulate the business hours of Aggregate. Mr. Pinder asked for that explanation in writing.

3. Maria G Karafelis, Precinct 2 Town Meeting Representative asked what would happen to the old fire station in the Center. Mr. Cohen stated that other uses would be considered if the old station is vacated. Maria G Karafelis asked if Alpha road was a hazardous waste site. Mr. Cohen stated that it was all industrial land and not in the proximity of the aquifer. Maria G Karafelis asked where the extra money would go from the new tax. Mr. Cohen stated that $200,000 would go to the schools and if it did not pass then the school and the Town would need to discuss the budget. Mr. Cohen added that the Town applied for new fire construction grants.
4. Uzi Barzilai, Scotty Hollow was concerned with an issue on the Westford line with a paving company and the need to maintain a good quality of life. Chairman Jeannotte stated that the Town has heard from the Westford Planning Board.
5. Maria Burnham, Groton Road also had concerns with the paving company and that abutters were not notified. Ms. Burnham was concerned with traffic speed on Groton Road and the trucks that pass. Ms. Burnham stated that the quality of life has already declined. Ms. Burnham stated that NMCOG should be contacted, and official traffic study should be done, contact engineer from state, and that the police have been called due to accidents. Chairman Jeannotte stated that the Board would follow up with Arlington District Engineers because it was a state road to discuss Ms. Burnham's concerns.
6. Normand Labrecque, 2 Longspur Road was concerned with an increased meals tax and its affect on resident's wallets but supported the article. In regards to the DPW Facility Mr. Labrecque thought that the Town needed to do a better selling job on the project. Chairman Jeannotte stated that the DPW study was online and that past meetings and discussions on the subject can be found on the web. Mr. Cohen summarized the article at Town Meeting. Mr. Labrecque asked for an explanation on the plan for the fire facilities around town if the center station is closed. Chairman Jeannotte stated that all of Mr. Labrecque's concerns were addressed in the online study.
7. Debby Dery, Precinct 6 Representative suggested holding the Center Fire Station sale until the market picked up and asked if any fire grant money was used. Ms. Dery also suggested purchasing the property on Alpha Road and then wait to renovate it. Mr. Cohen stated that the Town would want to take advantage of the low interest rate loans and bidding climate and if the Town waits it could lose an opportunity. Ms. Dery asked what the collection rate in town was because there seemed to be a tax on everything. Mr. Cohen stated that the collection rate was 98%. Ms. Dery asked about the National Grid surcharge. Mr. Cohen stated that a bill was being submitted to the legislature to resolve the issue. Mr. Cohen stated that it was possible that more cuts could happen and the budget would have to be reduced.
8. Pat Magnell, Precinct 3 Representative supported the new DPW/Fire facilities and saw an opportunity for the Town. Ms. Magnell asked if the new DPW facility would be near the water supply. Mr. Cohen stated that it would not affect the

water supply. Ms. Magnell stated that the Town should be committed to public safety.

9. Tim McIlvenna, Precinct 1, asked about the plan to rebuild the fire station and the field proposed behind the elderly housing. Mr. McIlvenna was concerned with noise from the station. Mr. Cohen stated that the ball fields would be replaced somewhere in Town. Mr. Cohen stated that he did not believe noise from the new station would be a significant concern.
10. Paul Gleason, Pinehill Road commented on the fiscal responsibility of the Town. Mr. Gleason felt that it was a good time to build and there was a need for capital programs but not at this time. Mr. Gleason wanted the Town to look at what it had and reassess its fiscal priorities and suggested putting large scale projects on the back burner.
11. John Wojcik, Littleton Road asked what happens to the old DPW site. Mr. Cohen stated that it was up to Town Meeting. Mr. Wojcik asked about Aggregate. Mr. Cohen stated that the Town regulates hours for CVL and Liquor licenses. Mr. Wojcik stated that it was a health issue and residents are kept awake by large trucks. Mr. Cohen stated that the Town can not regulate traffic on a state road.
12. Diane Cloutier, Groton Road asked about the Westfor Asphalt plant and asked if any selectmen were going to the upcoming Westford meeting. Ms. Cloutier also asked about the impact on the tax rate with a new DPW facility. Mr. Cohen explained excluded debt and the need to support new facilities.
13. Rick Mahoney, Precinct 8 thanked the building committee for its work and agreed that building would be cheaper now. Mr. Mahoney thought raises should be held and stressed a need for fiscal responsibility.
14. Arthur Williams, Lovett Lane had concerns with the DPW site and that it abuts a daycare. Mr. Williams also expressed concern with the Asphalt Plant in Westford and encouraged citizens to get involved. Mr. Williams gave out the next meeting date and asked residents to come and support Chelmsford.
15. Marie Burnham, stated that it was an opportune time to build and purchase the DPW/Fire facility. Mr. Cohen stated that the committee looked at consolidating the facility but found that it did not work.
16. Cheryl Friedman, Scotty Hollow Drive was alarmed about the asphalt plant in Westford. Chairman Jeannotte stated that the information is on the Westford Town Website on the asphalt plant.
17. Dawn Belleville, 176 Groton Road asked if there was any monitoring of the asphalt plant and whether Chelmsford would be compensated if it had to respond to an emergency. Mr. Cohen stated that there was no compensation between towns and that the issue was with speed.
18. Maria Karafelis asked which roads were state roads and which were not. Mr. Cohen explained what the Town could do on a state road versus a town road.
19. Doug Gordon, Wilson Lane stated that the school building project budget was off therefore how the residents can trust the budget of the DPW/Fire Facility. Mr. Cohen stated that there were not enough details to do a line item budget but have gross numbers. Mr. Gordon insisted that the school building project went over budget. Mr. Gordon asked why so much space was needed for the new fire

facility. Mr. Cohen stated that the new fire station would be the headquarters and the location would be good for response times.

20. Beth Logan, Lovett Lane wanted to let residents know that the bike path would be open in August.
21. John Wojcik asked if Route 40 and Route 110 were maintained by the state. Mr. Cohen stated that they were not maintained by the state.

Motion by Selectman Wojtas to adjourn the meeting. Seconded by Selectman Dahlberg. Motion carries, unanimous. Meeting adjourned at 9:15 PM.

Respectfully submitted,

Patrice Garvin
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
July 27, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements
- Bruce Freeman Rail Trail Ribbon Cutting August 29, 2009

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. **Bertucci's Transfer of Stock - Public Hearing**

7:35 p.m. **Zesty Pizza, New Beer & Wine License - Public Hearing**

7:40 p.m. **Café Madrid – Alpine Lane Common Victualer License**

7:45 p.m. **Saint Vartanantz – One Day Beer & Wine, August 2, 2009**

8:00 p.m. **Joseph Shanahan – 66 Graniteville Rd.**

Town Manager Reports
- Solar Panel Installation
- Fuel Efficient Vehicle Policy
- Town Hall Utilization Study Committee Update
- Green Communities

Town Manager Appointments
- Energy Conservation Committee

BOS Meeting Minutes
- BOS Regular Meeting Minutes June 15, 2009
- BOS Executive Session Minutes June 15, 2009
-

Unscheduled Business
- Sign Warrant for Special Town Meeting
- BOS Position on Special Town Meeting Warrant Articles
- Town Manager Goals
- Housing Initiatives
- BOS Meeting Schedule

***** This meeting is televised. *****

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: August 10, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

REGULAR MEETING MINUTES
Monday, July 27, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:10PM.

Public Service Announcements

Bruce Freeman Rail Trail Ribbon Cutting August 29, 2009
Chairman Jeannotte announced there will be a ribbon cutting ceremony on August 29, 2009 10AM to celebrate the opening of the Bruce Freeman Rail Trail by the Center Town Hall. Business sponsorship opportunities are available to defray the costs of the ceremony and help purchase amenities for the trail. More information is available at www.brucefreemenrailtrail.org .

Ethics Training
Chairman Jeannotte announced ethics training for all Board and Committee members will be held on October 8, 2009. Two sessions will be held from 4-6PM and from 7-9PM that day.

SGI/Lowell Sun article
Chairman Jeannotte was disappointed to read the article in the Lowell Sun newspaper that the Slow Growth Initiative (SGI) was petitioning signatures to oust Mr. Cohen from office. Under the Town Charter, this action would not be allowable. In addition, Chairman Jeannotte cautioned residents to be aware of what they are signing, as the petition was explained as an anti-40B petition, not as a movement against the Town Manager.

Open Session
Bill Griffin, 9 Bishop St., suggested to residents that when National Grid calls to schedule a changeover for gas meters, that representatives are asked to come out and look at the meter first, so they have the proper tools to do the change, and not have to come back multiple times. Mr. Griffin also noted that people are actively using the rail trail, and cautioned them to be aware of streets intersecting the trail. Chairman Jeannotte explained the trail is not officially open yet, crews are working on signage as quickly as possible. Lastly, Mr. Griffin wished to thank the Board and Mr. Cohen for their presence and communication at the Aspen Apts. 40B hearings in Billerica. The abutting residents were very pleased and grateful.

Thomas Fall, Precinct 7, was also upset by the SGI article in the Sun, and felt that Mr. Cohen is doing a tremendous job for the Town. He also requested that the Board look favorably upon the local option taxes warrant articles.

Linda Fall, Precinct 7 wished to thank Mr. Cohen and the Board for all their hard work.

Angie Taranto, School Committee, supports the local option taxes, as the Town and the schools need revenue. The schools cannot afford any more cuts.

Mathew Hanson, Precinct 5, supports the local option taxes, as the money will be kept by the cities and towns collecting it.

Committee Vacancies
Chairman Jeannotte provided a list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office.

BOS Meeting Minutes

BOS Regular Meeting Minutes June 15, 2009
Motion: by Selectman Wojtas to approve the regular meeting minutes of June 15, 2009 with corrections to page 7 as discussed. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Executive Session Meeting Minutes June 15, 2009
Motion: by Selectman Wojtas to approve and release the Executive Session meeting minutes of June 15, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Appointments

Energy Conservation Committee
Motion: by Selectman Wojtas to approve the appointment of Robert Andrews to the Energy Conservation Committee, as recommended by Mr. Cohen. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Scheduled Business

Bertucci's Transfer of Stock-Public Hearing
Atty. Joseph Devlin spoke on behalf of Bertucci's Inc. and Bertucci's Corp. The company is turning over 89.3% of their stock to the lenders. There will be no changes to locations, menus, employees, rules or regulations. This has been approved by the Alcoholic Beverages Control Commission (ABCC). Public hearings will be done for 42 locations in Massachusetts, and 11 other states, as required by the local licensing authority for disclosure requirements. No further comments from the audience, no questions from the Board.

Motion: by Selectman Wojtas to close the Public Hearing. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to waive the waiting period and approve a Transfer of Stock of Parent Company for Bertucci's Restaurant Corp, dba Bertucci's Brick Oven Ristorante, on the premises known as 14 E. Littleton Rd., Chelmsford. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Zesty Pizza, New Beer & Wine License-Public Hearing
Atty. Angelique Eliopoulos spoke on behalf of Ted Rokas, who was also present for questions. Mr. Rokas is requesting this license for the new location at 14 Fletcher St., which will be more upscale, family style dining. Selectman Wojtas requested that Susan Rokas also sign the application. Mr. Cohen reported no concerns by the building inspector or the ADA compliance officer. Their formal sign-off is pending. There are 40 parking spaces for the 70 seat location. A Common Victualer license application is pending, TIPS certification was provided. Thomas Fall, Precinct 7, asked for verification that the front row of parking is handicapped parking.

Motion: by Selectman Wojtas to continue hearing for Zesty Pizza, Inc. on their application for a Beer & Wine License until August 10, 2009, per the Board's policy. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Café Madrid-Alpine Lane Common Victualer License
Larry & Yazmin Fadjo were present for questions. Their new location on Chelmsford St. opened last week, they are planning to open a bakery at their old location on Alpine Lane. The bakery will keep the same seating and floor plan as the former restaurant. Occupancy and ADA permits are in order. Chairman Jeannotte complimented them on their efforts.

Motion: by Selectman Wojtas to approve the Common Victualer License for Café Madrid Bakery, 28 Alpine Lane, with a seating capacity of 36, including 8 seats for outside use. Hours are 6AM-1PM on weekdays, and Sundays from 7AM-1PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Saint Vartanantz-One Day Beer & Wine, August 2, 2009
This license is being requested for the Church Picnic from 12-6PM. Application and TIPS certification is complete.

Motion: by Selectman Wojtas to approve a one day Beer & Wine License for Sts. Vartanantz Church for August 2, 2009 for the hours of noon-6PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Joseph Shanahan-66 Graniteville Rd.
Mr. Shanahan spoke on behalf of Charles and Marie Dunklee. Mr. Shanahan provided a history of the lot and subdivision process to date. A new subdivision plan has been agreed to and approved by the Planning Board. This provides for 4 lots with no further subdivision, preservation of a historic barn, an open space parcel for additional buffer with a conservation restriction that attaches two other open space parcels, and demolition of a cottage. The Conservation and Historic Preservation restrictions are pending, Mr. Shanahan asked the Board to authorize Town Counsel to review these documents. The Town has 120 days from June 17 to exercise its Right of First Refusal. No other Town use was identified in the prior process. Mr. Shanahan requested a waiver of the 120 days as the developer wishes to start foundations on the

3 new homes in the fall. Chairman Jeannotte authorized Town Counsel to review the restriction documents, Mr. Cohen will forward.

Town Manager Reports

Solar Panel Installation
Mr. Cohen announced that the roof of the Adams library will support the solar panel equipment. An agreement was provided for review; this project is being funded by the Mass. Technology Collaborative Program along with several other grants, and will not cost taxpayers anything.

Motion: by Selectman Wojtas to approve the installation of an 8.8 KW solar panel system at Adams Library as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Green Communities & Fuel Efficient Vehicle Policy
Mr. Cohen announced that five criteria and guidelines have been announced for grant opportunities to assist the Town in becoming a Green Community. The Town has already begun meeting the criteria through formalizing the fuel efficient vehicle policy (to be discussed) and the Energy Star Portfolio Manager to create the baseline energy inventory. Criteria to be met will include potential zoning bylaw changes for energy production facilities, adoption of "stretch" code for new construction, and creating and expedited permitting process for renewable or alternative energy facilities. Mr. Cohen requested the Board sign a decree that explains the fuel efficient vehicle purchase policy.

Motion: by Selectman Wojtas to waive the customary 2 week waiting process and approve the Fuel Efficient Vehicle Purchase Policy as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to support the Grant Application which will enable the Town of Chelmsford to become a "Green Community" as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Chairman Jeannotte wished to recognize everyone involved in helping to make the goal of "Going Green" happen.

Town Hall Utilization Study Committee Update
Mr. Cohen provided an update of the Committee's activities. The time for providing input will come to an end in August. The North Town Hall will provide a bigger challenge due to rehabilitation requirements, but interested users would like to see a community center at this location. The Board may see funding submissions from CPC for Spring Town Meeting. The Committee will present a formal report in October. Mr. Cohen verified for Selectman Dahlberg that housing for this building is not being considered at this time.

High School Ceiling Collapse
Mr. Cohen was contacted by Gary Persechetti in regard to an approximate 6'x30'portion of a cafeteria ceiling that collapsed at the High School. A structural engineer will perform an analysis of structural integrity and emergency repair. At this time it does not appear to be water or storm related, not does it appear to be vandalism. The area is original construction from 1972, and was

not seen as a problem area. Mr. Cohen may request funding at town meeting for emergency repair, or the $10,000.00 insurance deductible from the stabilization fund.

Unscheduled Business

BOS Position on Special Town Meeting Warrant Articles
Chairman Jeannotte explained there will be 5 warrant articles decided at the August 17, 2009 Special Town Meeting. The Board discussed their recommendations and opinions on each article. All articles will go to Town Meeting, regardless of the Board's recommendations. Each Selectman provided his/her opinion on each article.

Articles 1 & 2
Selectman Dixon received feedback from residents to support Articles 1 & 2, and he will do so. Selectman Dahlberg had spoken with business owners, and although they do realize these are not huge taxes, they do put additional burden on business owners, so he feels that small businesses would be adversely impacted, prolonging the economic suffering. Selectman Dahlberg was not in favor of either Article, but supported bringing them to Town Meeting. Chairman Jeannotte also received e-mails asking her to support these articles. She recognizes there would be further cuts to the schools, and she does not wish to see further cuts to services, however, she is not in support of these two articles. She feels the State is shirking its responsibility by not allowing towns to negotiate on health insurance, and would like to see Unions come to the table as a partnership with the Town. Adding these taxes will not solve the bigger issue of managing expenses. She supports sending both articles to Town Meeting. Selectman Wojtas explained these are optional taxes and people can be discretionary towards where they eat and stay. Letters have been sent to legislators asking to give the Towns and cities options, and this is an option they have provided. She supports both articles, and bringing them to Town Meeting. Selectman Scanlon supported sending the articles to Town Meeting. He felt this was merely a band-aid to a growing problem with costs, and that an increase in taxes is always tough to support, and even tougher to repeal once established, therefore he did not support either article.

Motion: by Selectman Wojtas to recommend approval of Article 1.Seconded by Selectman Dixon. Selectmen Wojtas and Dixon in favor, Selectmen Jeannotte, Dahlberg and Scanlon opposed.

Motion : by Selectman Wojtas to recommend approval of Article 2. Seconded by Selectman Dixon. Selectmen Wojtas and Dixon in favor, Selectmen Jeannotte, Dahlberg and Scanlon opposed.

Article 3
Mr. Cohen explained the Local Aid decrease of 11% translated into a 1.7 million dollar reduction in the budget. The Town still has fixed costs, such as benefits and insurance, and is already absorbing a 7.3% increase in pension and insurance costs. The Stimulus funding granted to the schools are one time payments, and will not help in future years. Assessments for Nashoba Technical High School increased, although Mr, Cohen expected those figures to be revised, as the school has promised. Public Safety and other service expenses are down, however non-excluded debt and unemployment insurance expenses have increased, and Mr. Cohen expects a further reduction in services without the optional tax revenue. Mr. Cohen commended all employees for pulling together, and is still meeting with union representatives to negotiate

insurance costs. Chairman Jeannotte stated she supports revenue generating ideas that minimize effects to services.

Motion: by Selectman Wojtas to recommend approval of Article 3, which will provide a balanced budget. Seconded by Selectman Dixon. Motion carries, unanimous.

Article 4
Chairman Jeannotte asked if any abutters had raised concerns in regard to the DPW purchase and renovation of a location on Alpha Rd. Mr. Cohen had not received any concerns from any abutters, which are all commercial. Selectman Scanlon said he supported the effort to consolidate the operation, saving on leasing costs at multiple locations. Selectman Wojtas supported this article, as this is a good, viable opportunity, available now. Chairman Jeannotte supported the article, and felt the savings of $13 million versus $30 million of some the other options was worthwhile. She assumes permitting issues will be resolved. Selectman Dahlberg felt the uncertainty of today's economy outweighed the benefits of this proposal, and although he did not support the article, he wished to see it go to Town Meeting. Selectman Dixon supported the article.

Motion: by Selectman Wojtas to recommend approval of Article 4. Seconded by Selectman Dixon. Motion carries, Selectman Dahlberg opposed, all others in favor.

Article 5
Mr. Cohen explained the cost efficiencies of doing both the DPW project and this proposed Fire Department project at the same time. He estimated a savings of $300,000.00. Mr. Cohen explained the current Fire Station was built in 1952, when the Town had a population of 10,000 people. There were no industrial properties, and very little commercial businesses in town. Currently, the population is approximately 35,000 people, with varied industrial and commercial properties. The current building is no longer sufficient for today's standards. The equipment no longer fits into it, and storage, support services, decontamination areas and training facilities are lacking or minimal. The structure needs to be addressed as soon as possible, as the floor is collapsing. Chairman Jeannotte agreed the building doesn't meet current needs, however, felt that the project could be downsized. She preferred to repair the existing structure, in fairness to taxpayers. Selectman Dahlberg voiced the same concerns for this project as for the DPW project, and felt repair of the existing structure was a more appropriate measure, considering the Town could not afford to staff all the existing stations now. Selectman Wojtas wished to support Chief Parow's efforts in trying to obtain grant funding for part of the project, and she would like to see the process move forward, and therefore supported the article. Mr. Cohen pointed out that this article would not be contingent on grant funding, as over 6000 applications were being considered nationwide. Selectman Scanlon said he respected what the Fire Department does, he believes the need is there, and supported the request. However, he questioned the location and size of the project. The Police Station was built under different economic conditions. The current proposal is the wrong option for current economic times. Mr. Cohen asked the Board to consider long term return on investment and ancillary future needs of the Fire Department. An appraisal of the current parcel is pending. Selectman Dixon stated he supported the article.

Motion: by Selectman Wojtas to recommend approval of Article 5. Seconded by Selectman Dixon. Selectmen Wojtas and Dixon in favor. Selectmen Jeannotte, Dahlberg, and Scanlon opposed.

Sign Warrant for Special Town Meeting
Motion: by Selectman Wojtas to approve the August 17, 2009 Special Town Meeting Warrant as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Goals

Motion: by Selectman Wojtas to approve a prioritized list of Town Manager goals for FY 2010 as follows: 1st: Health insurance negotiations, 2nd: solid waste & recycling efforts contract negotiation, 3rd: alternative energy opportunities, 4th: continuing union contract negotiations, and 5th: pursue economic development opportunities. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Chairman Jeannotte provided that the Board will also work with the Town Manager to assist in achieving these goals.

Housing Initiatives
Selectman Wojtas provided proposals for an Affordable Housing Master Plan Committee and an Affordable Housing Committee. Under statute, the Affordable Housing Master Plan must be re-certified by July 2010. Recruiting for the Affordable Housing Master Plan Committee should start in August, with a final presentation by April of 2010. The plan must state how goals can be met over the next five years. The Affordable Housing Committee would establish guidelines and work with developers to obtain the types of housing best suited for the Town. Chairman Jeannotte would like to define the work product of this committee more clearly before recruiting for it. Further discussion tabled until next meeting.

BOS Meeting Schedule
A listing of tentative meeting dates for September to December was reviewed. Work sessions can be added as necessary.

Selectman Referrals:

Selectman Dixon:
Selectman Dixon wished Selectman Scanlon good luck on his tour with the National Guard in August.

Selectman Dixon urged residents to speak to their Town Meeting Representatives about their opinions regarding the articles for the August 17, 2009 Special Town Meeting. Everyone has a voice; the decisions should be of the Town majority.

Selectman Dahlberg:
Selectman Dahlberg and School Superintendent Don Yeoman met with State Representative Cory Atkins, along with representatives from 3 other towns in a Municipal Advisory Group meeting. The group will continue to meet monthly.

Selectman Wojtas:

Selectman Wojtas was present at the Kronos Company, to present them with a Greener Chelmsford Initiative Award. To date, the company has recognized 1.1 million KW in energy savings.

Selectman Wojtas wished to say she appreciated tonight's debate regarding the warrant articles.

Selectman Scanlon:
Selectman Scanlon wished to echo Selectman Dixon's sentiment that people need to be heard regarding the warrant articles discussed this evening.

Selectman Scanlon announced he will be under orders with the National Guard from August 2-27, 2009 for training in Florida.

Chairman Jeannotte:
Chairman Jeannotte announced a meeting for Town Representatives to be held at the Police Station Community Room on August 6, at 7PM for the August 17th Special Town Meeting capital projects discussion.

Chairman Jeannotte attended the Westford Planning Board's meeting regarding the asphalt plant. Scotty Hollow residents have retained an attorney. The Board will continue to monitor the situation. Selectman Dahlberg spoke with the Board of Health, who is continuing to monitor health related issues such as asthma rates. Selectman Wojtas suggested sending another letter officially opposing the plant on behalf of Chelmsford residents.

Motion: by Selectman Wojtas to send another letter to the Westford Board of Selectmen and Planning Board listing the reasons why Chelmsford residents are in opposition to the asphalt plant being built. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Press Questions
No one was present for questions.

Executive Session
Not needed this evening.

Next Regular Meeting: August 10, 2009

Motion: Selectman Wojtas made a motion to adjourn. Selectman Dahlberg seconded the motion. Motion carries, unanimous. Meeting adjourned at 10:33 PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

8/24

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, July 13, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Road

Street Address

Elizabeth H. Delaney

Town Clerk's Signature

L. Dennis 6/30/09

Clerk/Bd. Member & Date

Exec Session

RECEIVED

09 JUN 30 PM 3:12

TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Public Input Forum

Name Of Department or Board: Board of Selectmen

Date of Meeting: Wednesday, July 22, 2009 **Time:** 7:00 p.m.

Location: Senior Center Room Number: _____

Name of Building

75 Cedar Rd.

Street Address

Elizabeth F. Delaney

Town Clerk's Signature

T. Crowe 7/1/09

Clerk/Bd. Member & Date

G.L. c. 39, s. 23B

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: BOARD OF SELECTMEN W. EXECUTIVE

Date of Meeting: Thursday July 23, 2009 **Time:** 6:30 P.M.

Location: TOWN OFFICES Room Number: 204

Name of Building

50 BILLERICA ROAD

Street Address

Town Clerk's Signature

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, July 27, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 2011

Name of Building

56 Billerica Road

Street Address

Elizabeth H. Delmey T. Gunn 6/30/09

Town Clerk's Signature Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Saturday, November 7, 2009 **Time:** 1:45pm

Location: Center Town Hall Room Number: _____

Name of Building

1A North Road

Street Address

Elizabeth L. Delmey

Town Clerk's Signature

11/5/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, November 9, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204
Name of Building

56 Billerica Rd
Street Address

Elizabeth H. Delmey

Town Clerk's Signature

J. Guerin 9/23/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~ Public Input Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Mon, November 16, 2009 **Time:** 7:00 PM

Location: Senior Center Name of Building Room Number: Hall

75 Arden Rd Street Address

Elizabeth H. Delmay Town Clerk's Signature

T. Cyr 10/8/09 Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, November 23, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd.

Street Address

Elizabeth M. Delaney T. Lynn 9/23/09

Town Clerk's Signature Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen Work Session

Date of Meeting: Monday, Nov 30, 2009 **Time:** 6:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd

Street Address

Elizabeth L. Delmey

Town Clerk's Signature

11/19/09

Clerk/Bd. Member & Date

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
August 10, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements
- 1655 Community Service Day

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. Brickhouse Pizza – All Alcohol License Public Hearing and request for Entertainment License

7:35 p.m. Zesty's Pizza –Continuation of Public Hearing and request for Entertainment License

7:40 p.m. Joseph Shanahan - Westland's Place, 2 unit rental 40B/Lip Project

7:55 p.m. Joseph Shanahan - 18-20 Chelmsford Street EOTPW License

Town Manager Reports
- Fall Town Meeting schedule
- Update on CHS ceiling
- Annual Towing Report

BOS Meeting Minutes
- BOS Work Session Minutes June 22, 2009

Unscheduled Business
- Vote to approve Town Manager Performance Appraisal

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: August 24, 2009

***** This meeting is televised. *****

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting MINUTES
August 10, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman
Paul Cohen, Town Manager

Not Attending:
Sean Scanlon, Selectman

Chairman Jeannotte called the meeting to order at 7:10 PM.

Public Service Announcements

1655 Community Service Day
Mr. Cohen announced the first annual Community Service Day & Barbeque will be held on Thursday, August 27, 2009. Town offices will be closed at noon that day so that Town employees may participate in various projects. Residents are encouraged to join in as well. The Chelmsford Lodge of Elks will host a barbeque at 5pm, tickets are $15.00, and all are welcome.

Open Session
No one came forward at this time.

Committee Vacancies
Chairman Jeannotte provided a list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office.

BOS Meeting Minutes

BOS Work Session Meeting Minutes June 22, 2009
Motion: by Selectman Wojtas to approve the work session meeting minutes of June 22, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Chairman Jeannotte announced that Selectman Scanlon will be fulfilling a military obligation for the month of August, and will return in September.

Proclamation - Farmers Market
Selectman Wojtas read a proclamation signed by Governor Deval Patrick, recognizing Peggy Dunn for the work done to make the Chelmsford Farmers Market possible. Ms. Dunn thanked the Board for the recognition, and Ann McGuigan for providing transportation where needed. Ms. Dunn asked that any Chelmsford students interested in performing music at the market to contact Kathy Duffett, Angie Taranto or Town offices for more information. The market will run through September 24, 2009. Details for a Harvest Buffet will be forthcoming.

Town Manager Reports

Fall Town Meeting Schedule
Mr. Cohen reviewed key activities and target dates for the 2009 Fall Town Meeting.

Update on CHS Ceiling
Mr. Cohen discussed the results of the engineering report completed after the collapse of part of the cafeteria ceiling. Other areas of the school were reviewed, and the engineer recommended that ceilings in the cafeterias and library will require some additional support. The engineer confirmed that this problem would not have been revealed during normal inspections. The approximate cost of repairs will be $28,500.00. An insurance claim has been filed, of which $10,000.00 will be the policy deductible. Funding will be addressed at the Fall Town Meeting, as a facility maintenance budget item, not a reserve transfer. Selectman Dahlberg asked if it the original builder may bear liability for the collapse. Mr. Cohen believes the original builder is no longer in business.

Annual Towing Report
A memo from Police Chief James Murphy indicated that Christopher's Towing provided 596 police ordered tows, and generated $38,740.00 in fees for the Town, during FY2009. Chief Murphy will continue to monitor and has no concerns with Christopher's Towing as a service provider.

Aggregate Industries Settlement
Mr. Cohen reported that all violations have been resolved, and correction action was taken by the company as requested in regard to the storm water management system and air quality tests. Mr. Cohen asked Town Counsel to review whether the company could be asked to limit their hours of operation, and was told that no such conditions were placed in their permits, and so the Town had no authority to place such conditions now. The company produces asphalt for state contracts, and much of this paving is done at night.

66 Graniteville Rd.
Mr. Cohen received a memo from Frank Reen in regard to the amount of the rollback penalty to be paid by the Duncklees when their property is sold, as it will no longer qualify for the agricultural tax exemption under Chapter 61A. A stipulation in the law states that this penalty must be paid retroactively for 10 years if the property is no longer going to be used for agricultural purposes. The amount of the payment will be $19,439.00.

Scheduled Business

Brickhouse Pizza - All Alcohol License Public Hearing and Request for Entertainment License
Atty. Angelique Eliopoulos spoke on behalf of Michael Brown, the owner of Brickhouse Pizza. Mr. Brown is opening a second location at the site of the former Village Grille. The applicant is requesting a transfer of the Village Grille's all alcohol license, and an entertainment license for TV and radio, and possibly a small band on occasion. Seating for 74 was approved by the planning as determined by parking constraints. Seasonal seating on the deck will be taken from the second floor seats. The outdoor area is secured by ropes, all egress is through the restaurant. A floor plan and TIPS certification form were shown. Mr. Cohen is still awaiting the results of a CORI check. Construction of the bar is currently ongoing. Mr. Brown's experience comes from

owning the pizza restaurant on Middlesex St since 1997, and working as a bartender and doorman for a friend's establishment for 2 years. The secretary for the corporation has no investment in the restaurant. Mr. Brown hopes to be open for business by September 1, 2009. No further comments from the audience, no further questions from the Board.

Motion: by Selectman Wojtas to continue the Public Hearing for Center Brickhouse Pub and Pizzeria, for a transfer of the All Alcoholic Restaurant License and the request for Entertainment License for 1 Central Square until August 24, 2009 per the Board's policy. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Zesty Pizza - Continuation of Public Hearing: New Beer & Wine License and request for Entertainment License
Atty. Angelique Eliopoulos spoke on behalf of owner Ted Rokas, who was also present for questions. Mr. Rokas is confirmed as having authorization to execute all documents for the company's transactions. The entertainment license is for a wide screen TV.

Motion: by Selectman Wojtas to close the Public Hearing for Zesty Pizza, Inc. on their application for a Beer & Wine License. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve the application of Zesty Pizza for a Beer & Wine Restaurant License, to be exercised on the premises of 14 Fletcher St, Suite 5, with a seating capacity of 70 and with the following conditions: ADA compliance, Final Inspections from the Board of Health and Building Department, and satisfactory CORI approval for the Manager. It is further moved to approve the application of Zesty Pizza for an Entertainment License, to be exercised on the premises of 14 Fletcher St., Suite 5 for the use of wide screen TV. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Westlands Place, 2-unit rental 40B/Lip Project - Joseph Shanahan
Mr. Shanahan spoke on behalf of Glen Kohl, the manager of Arlington Street Development, LLC. The proposed duplex is to be built on a 12,000 SF upland piece of a 72,000 SF parcel at the end of Arlington St. There is a proposed 200 x 18 foot driveway going through a 2200 SF wetland resource area. The replication area will be 2500 SF, which exceeds requirements under the Wetlands Protection Act. The drive way is being built over a sewer easement, so the area has been disturbed. Access is through Arlington St. due to a pump station being located at the end of Fair St. Both units will be included in the housing inventory, and will be held for rental in perpetuity. One unit will be rented at an "affordable" rate, and the other will be rented at market rate. Both will be 3 bedroom units. If the pro forma allows, the developer will consider making both units available at an affordable rate to the Chelmsford Housing Authority. Mr. Shanahan asked the Board to consider endorsement under LIP provisions. Mr. Shanahan provided feedback from other Boards in support of the project, and with several conditions. Immediate abutters were notified 2 weeks ago, more will be notified of the Zoning Board and Conservation Commission hearings. Mr. Shanahan requested a 50% discount of LIP fees, and presented a list of other waivers being requested. The project has 42 feet of frontage, where 150 feet is required. Mr. Shanahan agreed to accompany anyone wishing to visit the site, as in its current state, it is difficult to find. Chairman Jeannotte requested a continuance until September 14, 2009 to finish site visits and set up a public hearing.

18-20 Chelmsford St. EOTPW License - Joseph Shanahan

The area in question abuts the rail trail, and is State property that the applicant would like to improve, as it also abuts his property which he is rehabbing. Mr. Shanahan provided photos of the area. The applicant is proposing to build a retaining wall, install an irrigation system, grade and plant sugar maple and pear trees, with flower filled planters in between. The proposal has been endorsed by the Historic District, DPW, Friends of the Bruce Freeman Rail Trail, BPAC, and other interested groups. The state requires Town approval before considering the license. The Town holds no liability in this area, as it is State land. The state owns the Bike Path, while the Town has agreed to maintain it.

Motion: by Selectman Wojtas to endorse and support the Executive Office of Transportation and Public Works License Agreement for Railroad Properties application submitted by Boars Head LLC, with improvements as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Unscheduled Business

Vote to approve Town Manager Performance Appraisal
Chairman Jeannotte explained the Board is still finalizing their goals. Vote tabled until August 31, 2009 work session.

Selectman Referrals:

Selectman Dixon:
Selectman Dixon announced the third annual Chelmsford Alumni Golf Tournament being held on August 24, 2009. Interested parties can contact him at 978-251-4611 for more details.

Selectman Dixon explained that a group working to improve the Varney Playground is requesting donations and used equipment for maintenance of the area. A volunteer has agreed to power wash and seal the building to eliminate graffiti, and the Land Stewards have offered to assist in maintenance to curb vandalism.

Selectman Dahlberg:
Selectman Dahlberg also met with concerned citizens about Varney Playground. A list of concerns is being put together.

Selectman Dahlberg and Nick DiSilvio were presented with a $1,000.00 donation from the Burlington Cricket Club in Billerica for the Chelmsford Athletic Department.

Selectman Wojtas:
Selectman Wojtas reminded residents that Friday, August 14th is the deadline for paying bus fees. Payments received after that date will include a late charge, with no family cap.

Selectman Wojtas announced the dedication ceremony for the Community Garden is on Saturday, August 15, 2009.

Selectman Wojtas asked about Verizon's appeal on funds being held in escrow. Mr. Cohen explained Towns and cities have been advised to keep the funds in escrow, as Verizon is appealing the State's decision to uphold the telecom equipment tax. Verizon is claiming a negative effect on their ability to provide FIOS service, however, there has been no perceived difference in charges to users.

Chairman Jeannotte:
Chairman Jeannotte requested that Mr. Cohen begin contacting Health Ins. Provider marketing reps for a potential Tri-Board Leadership Meeting on September 21, 2009. Mr. Cohen also agreed to provide a copy of the most recent health insurance proposals to Selectmen Scanlon and Dixon for their review.

Chairman Jeannotte requested a different name for the second Affordable Housing Committee, to avoid confusion with the Affordable Housing Master Plan Committee.

Chairman Jeannotte will discuss Senate Bill 90 at a future meeting. This bill concerns CPC funding.

Chairman Jeannotte attended the Middlesex Sheriff's Youth Public Safety Camp Graduation ceremony. The one week camp teaches children about various aspects of police and fire safety.

A Health Care Forum was held at Center Town Hall on Saturday, August 8, 2009 sponsored by US Rep. Niki Tsongas.

Chairman Jeannotte announced mandatory ethics training for all Board and Committee members will be held on October 8, 2009. Sessions will be held 4-6PM and 7-9PM that day. Members should contact Trish Dzuris to schedule their preferred session.

Press Questions
No one was present for questions.

Executive Session
Not needed this evening.

Next Regular Meeting: August 24, 2009

Meeting adjourned at 8:47PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
August 24, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements

- 1655 Community Service Day – Town Offices closed at noon 8/27/09

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. **Center Brickhouse Pizza – Continuation of Public Hearing, All Alcohol License Public Hearing and request for Entertainment License**

7:45 p.m. **Pole Petition – Frank Street**

8:00 p.m. **Greener Chelmsford Initiative Update - Badhri Uppiliappan**

Town Manager Reports
- Aggregate Industries
- Varney Playground
- Fall Annual Town Meeting Warrant Articles
- Bid Award DPW Road Salt

BOS Appointments
- Board of Registrars

BOS Meeting Minutes
- BOS Regular Meeting Minutes June 29, 2009
- BOS Regular Meeting Minutes July 13, 2009
- BOS Regular Meeting Minutes July, 27, 2009
- BOS Regular Meeting Minutes August 10, 2009

Unscheduled Business
- Sign Warrant for Special Election

Selectman Referrals

***** This meeting is televised. *****

Press Questions

Executive Session

Next Regular Meeting: September 14, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

REGULAR MEETING MINUTES
Monday, August 24, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman
Paul Cohen, Town Manager

Not Attending:
Sean Scanlon, Selectman

Chairman Jeannotte called the meeting to order at 7:00PM.

Public Service Announcements

1655 Community Service Day
Mr. Cohen announced the first annual Community Service Day & Barbeque will be held on Thursday, August 27, 2009. Town offices will be closed at noon that day so that Town employees may participate in various projects. Residents are encouraged to join as well. The Chelmsford Lodge of Elks will host a barbeque at 5pm, tickets are $15.00, and all are welcome.

Bruce Freeman Rail Trail Ribbon Cutting
Chairman Jeannotte reminded attendees this event will occur on August 29, 2009 at 10AM on the Town Common, all are welcome.

Open Session
Matt Sheehan, 47 Washington St. wished to thank the Board for their help with Varney Park, as well as the volunteers that maintain it. He summarized a list of negative concerns, which Chairman Jeannotte assured him would be heard.

Karen Dussourd, 51 Washington St., asked about water testing being done at Freeman Lake. Mr. Cohen explained that testing was being done by the Water District. The Board of Health found no concerns with the water at this time. Mr. Sheehan confirmed the water is tested on a regular basis, and nothing is wrong with it.

Bob Gardner, Local 1839 Fire Dept. asked the Board's permission to run their annual MDA Boot Drive on August 27 & 28 in Vinal Square, and on September 1 & 2 in the Town Center, from 4-8PM at both locations. They were able to raise just under $10,000.00 last year: money raised goes to help local families.

Motion: by Selectman Wojtas to allow the Chelmsford Fire Department to set up Toll Booths on August 27 & 28, 2009 from 4-8PM in Vinal Square, and on September 1 & 2 from 4-8PM in Chelmsford Center. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Reports

Varney Playground
Town Manager Cohen invited Selectman Dahlberg to open this portion of the meeting with a report on his recent discussions with North Chelmsford residents regarding Varney. Selectman Dahlberg explained he met with concerned residents 3 weeks ago to discuss and view deteriorating conditions at Varney Park. Residents provided many suggestions on ways to improve the park. Mr. Cohen highlighted concerns about not being able to have lifeguards this year due to budget issues. He also toured the park, and noted multiple maintenance issues-some weather related, some not. He met with Police Chief Murphy, who recommended that residents contact his department immediately if they are confronted with or notice a problem. Police are doing increased patrols of the area. The Land Stewards are removing graffiti and cleaning trash in the area. Like the School Department, the Town has less crew and resources for maintenance of Town owned properties. Volunteers are doing what they can. The program for youth workers being sponsored by Lowell did not work as planned. Mr. Cohen does not want to close the beach, nor can he restrict access to town residents only. Because this is a state park, the town cannot control spillway issues. No motorized craft are allowed on the lake at any time per the Town's bylaw. Trish Dzuris has worked with the Varney Park group since its inception. At this time, the Town is relying on volunteers. Signage will be reviewed and replaced, as will windows on the bath house, but it will take time. There has been an issue with signs disappearing all over Town. Mr. Cohen is discussing with the Fire Department on whether to continue to allow cooking or bonfires. Residents should call the police to report vandalism. Mr. Sheehan recalled past volunteer efforts to replace the roof on the bath house (the roof was donated). Mr. Sheehan would prefer to not allow fires of any type. There are cars parking anywhere and everywhere, there is vandalism, graffiti, bad language being used in front of children, and people being threatened. Mr. Sheehan feels the situation is escalating as more people from Lowell and other places come in to use and abuse the area. Mr. Cohen explained the Town can only address issues within the boundaries of the law, and residents should not feel they are pestering the police by calling them immediately to report illicit activity. Selectman Dahlberg would like to see the issue of fires being permitted on the beach addressed and clarified immediately. Selectman Dixon suggested implementing a curfew. Chairman Jeannotte explained Mr. Cohen will continue to work with residents to address their concerns.

Center Brickhouse Pizza-Continuation of Public Hearing All Alcohol License and Request for Entertainment License
Atty. Angelique Eliopoulos spoke on behalf of Michael Brown, the owner of Brickhouse Pizza. Mr. Brown is opening a second location at the site of the former Village Grille. The applicant is requesting a transfer of the Village Grille's all alcohol license, and an entertainment license for TV and radio, and possibly a small band on occasion. Selectman Wojtas confirmed that Mr. Brown hopes to be open for business by September 1, 2009, even without the alcohol license. Chairman Jeannotte verified that the entertainment license was for indoor entertainment only. No further comments from the audience, no further questions from the Board.

Motion: by Selectman Wojtas to close the Public Hearing for Center Brickhouse Pub and Pizzeria, for a transfer of the All Alcoholic Restaurant License and the request for Entertainment License for 1 Central Square. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve the transfer of the All Alcoholic Restaurant License to Center Brickhouse Pub & Pizzeria with seating for 74, for the hours of 6AM-1AM on all weekdays and weekends. Also approved is the request for Entertainment License for 1 Central Square. Both licenses are subject to pending CORI checks, and Board of Health approvals/permits. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Committee Vacancies
Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office. Mr. Cohen is hoping for more applications after Labor Day.

Town Manager Report

Aggregate Industries Settlement
Mr. Cohen reported that Aggregate Industries has been fined by the EPA on storm water discharge violations. The Conservation Commission has verified that a new storm water discharge system has been installed, and no new issues have risen to date. Mr. Cohen is trying to contact the Operations manager to have a representative appear at a future Board meeting to discuss reporting requirements and voluntary efforts to improve communication with the community. Strict oversight has been ongoing since 2006.

Scheduled Business

Pole Petition-Frank St. Public Hearing
Joseph Gleason spoke on behalf of Verizon. He explained the existing pole at 9 Frank St. is deteriorating and needs to be replaced. The new pole will be installed 15 feet to the east, closer to the property line. A tree guide is being negotiated with the property owner. No comments from the audience, no further questions from the Board.

Motion: by Selectman Wojtas to close the Public Hearing. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Selectman Dahlberg asked why these hearings are necessary. Mr. Gleason explained it is required by state law to obtain local approval for work done on a public way. Selectman Wojtas asked if the issue of double poles was being addressed. Mr. Gleason explained he was not aware of any issues, but would look into it. Mr. Cohen explained all past serious issues with double poles have been resolved. Mr. Gleason agreed to forward an updated inventory via the Right of Way Department.

Motion: by Selectman Wojtas to approve Pole Petition # 40 dated 6-23-09, for Frank St. as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Larry Fadjo-Café Madrid-1 Day Beer/Wine Permit Application
Mr. Fadjo was present to answer any questions regarding a one day beer/wine permit for September 4, 2009 at their bakery location for a private function.

Motion: by Selectman Dahlberg to approve a one day beer/wine license for Café Madrid on September 4, 2009 for up to 36 attendees from 5-11PM. Seconded by Selectman Dixon. Motion carries, Selectman Wojtas abstained, all others in favor.

Greener Chelmsford Initiative Update-Badhri Uppiliappan
Mr. Uppiliappan presented a slide show outlining program updates, including a program outline & goals, recent companies to be recognized, and business community, Chelmsford school and volunteer outreach. Mr. Uppiliappan described how their "Green Environmental Mapping System" worked. Pending items included making the application process fully web based, and working on creating parameters for Level 2 Approval in the program. Selectman Wojtas noted that other towns are requesting information on this program. Chairman Jeannotte re-affirmed that no personal information was collected on residents for the mapping system data. Mr. Cohen explained how this process ties in with trash collection and recycling for small businesses.

Town Manager Reports

Fall Annual Town Meeting Warrant Articles
Mr. Cohen went through the list of 12 warrant articles that will be heard at the Fall Town Meeting on October 19, 2009. Article 1 includes customary reports, Article 2 involves a free cash transfer, Article 3 is regarding the School Department's E-Rate reimbursement, and Article 4 is a placeholder for unpaid bills, of which there are none so far. Article 5 involves funding for the Community Action Program, which is only requested when needed. Article 6 presents adjustments to the Operating Budget to include final growth numbers and the costs for repairing the High School ceiling. Article 7 is to appropriate CPC funding for the Garrison House. Article 8 is to appropriate CPC funding for the Fiske Barn. Article 9 involves a land swap between the Conservation Commission and the Water District, as the District has been ordered by DEP to secure the area around their water tower. Article 10 is a clarification from Town Counsel in regard to Billboard Zoning, in regard to protection of uses in an overlay district, as suggested by the Attorney General's office. Article 11 would transfer a portion of school property to the Board of Selectmen for billboard use and Article 12 would authorize the Town to enter into leasing contracts for billboard space for periods up to 20 years. Currently, the Town can only enter into 5 year contracts.

Bid Award-DPW Road Salt
Five responses were received for a cooperative bid for mined road salt.

Motion: by Selectman Wojtas to approve the recommended bid award to Eastern Minerals at $64.50, and a secondary bid award to Granite State Minerals at $69.97 for mined road salt. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Board of Selectmen Appointment

Board of Registrars of Voters
The Chelmsford Democratic Town Committee requested the re-appointment of Judith A. Olsson as the Committee's representative to the Board of Registrars.

Motion: by Selectman Wojtas to re-appoint Judith A. Olsson as the Chelmsford Democratic Town Committee's representative to the Board of Registrars for a three year term to expire in 2012. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Meeting Minutes

BOS Regular Meeting Minutes June 29, 2009
Motion: by Selectman Wojtas to approve the regular meeting minutes of June 29, 2009 as amended on pages 2, 3 & 5 as discussed. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes July 13, 2009.
Motion: by Selectman Wojtas to approve the regular meeting minutes of July 13, 2009 as amended on page 2 as discussed. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes July 27, 2009.
Motion: by Selectman Wojtas to approve the regular meeting minutes of July 27, 2009 as presented. Seconded by Selectman Dahlberg. Motion tabled, Chairman Jeannotte requested the discussion on the warrant articles should be reflected.

BOS Regular Meeting Minutes August 10, 2009.

Motion: by Selectman Wojtas to approve the regular meeting minutes of August 10, 2009 as amended on pages 2,3, and 4, as discussed. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Selectman Dahlberg will review the status of the minutes of May 11, 2009, executive session minutes of June 29, 2009 and July 22, 2009 Public Input Session.

Unscheduled Business

Ballot Questions for Special Election
Mr. Cohen explained the process leading up to the Special Election, of which a vote of the Board is required. The proposed date for the election is October 6, 2009, from 7AM to 8PM. The ballot will have 2 questions, the language of which has been reviewed and approved by bond counsel and town counsel, as mandated by state law in accordance with Proposition 2 ½. The law dictates that no money amounts will be included in the language; the amounts were approved at Town Meeting. Mr. Cohen pointed out that the benefits of the October 6 election date include not coinciding with the Columbus Day holiday, work can begin sooner if the questions are passed, and he and the Board would have more time to craft alternatives if the question fails to pass.

Motion: by Selectman Wojtas to approve setting the Special Town Election for October 6, 2009, from 7AM-8PM, and approving the warrant articles as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Selectman Referrals:

Selectman Wojtas:
Selectman Wojtas asked for follow-up on how long it would be until the Town received revenues from the recently approved local option taxes. Mr. Cohen explained that the State collects the taxes, but there is nothing in the legislation that dictates whether payments will be monthly or quarterly. Chairman Jeannotte expected payments to be monthly.

Selectman Wojtas questioned whether the Board's current policy regarding outdoor seating for restaurants was practical, or flexible enough, without condoning excess seating capacity. Two

restaurants recently presenting to the Board are moving inside seating to outside areas, weather permitting. Mr. Cohen noted current seating requirements are based on available parking, floor plans and egress considerations. Chairman Jeannotte suggested looking at how other towns monitor their outside seating arrangements. She also felt the situation would be self-policing, as complaints would come in on restaurants not complying with approved license provisions. Mr. Cohen suggested a zoning enforcement official could monitor these situations as well. Chairman Jeannotte agreed to discuss this issue further at the Board's next work session.

Selectman Dahlberg:
Selectman Dahlberg and other Board members attended the opening celebration of the Community Garden at Sunny Meadow Farm.

Selectman Dahlberg and other Board members attended the dedication of the Elks Lodge.

Selectman Dixon:
Selectman Dixon advised the public to be careful when riding on or driving near the Bruce Freeman Bike Trail, which officially opens on August 29, 2009, as it could be crowded.
He encouraged Mr. Cohen to continue working on a set of rules, or etiquette for bikers, walkers and walkers with dogs.

Chairman Jeannotte:
Chairman Jeannotte and Selectman Wojtas attended a CEDS survey event sponsored by NMCOG which canvassed Chelmsford and surrounding towns. Similar issues were reflected occurring in other towns as in Chelmsford.

Chairman Jeannotte advised that a consultant's report is being prepared by the applicant in regard to emission and health issues surrounding the proposed asphalt plant in Westford. Chairman Jeannotte asked about potential funding for the Center Town Hall building from Senator Fargo's office. Mr. Cohen explained the process involved in requesting the funds, which can only be used to restore the exterior of the building. He has requested funds for the roof and the exterior. He spoke with Don Siriani and is waiting to hear from the state administration. Mr. Cohen is looking to request funding for the windows at Spring Town Meeting. Chairman Jeannotte will forward timeline information received from the Town Hall Utilization Committee at the recent CPC committee meeting for Mr. Cohen's review. Chairman Jeannotte is working with Darlene Lussier on CPC accounting, as there is 3 million dollars in the account, which can only be used for specific purposes.

Chairman Jeannotte advised that the CPC Committee is forwarding a letter requesting support for Senate Bill 90 to state representatives, which could increase funding of community preservation projects for Chelmsford. Mr. Cohen explained the public hearing for this bill is scheduled for September 29, 2009.

Chairman Jeannotte asked Mr. Cohen where the dollar amounts for the DPW and Fire Stations projects were determined, as the amounts motioned at town meeting were greater than those in the study committee reports. Mr. Cohen explained the amounts came from presentations given by the Permanent Building Committee, were round figures, and have been consistent in his discussions regarding funding and bonding for the projects. Mr. Cohen indicated the figures were estimates, and he hoped that the projects would come in below budgets.

Press Questions
Stephanie Seeliger for the Chelmsford Independent requested a copy of the Fall Town Meeting Warrant Articles, which Mr. Cohen provided for her.

Executive Session
Motion: by Selectman Wojtas to adjourn to Executive Session at 9:40PM, not to return to Regular Session, for the purpose of discussing the value of real property.

Roll Call:
Selectman Dixon: Aye
Selectman Dahlberg: Aye
Chairman Jeannotte: Aye
Selectman Wojtas: Aye

Next Regular Meeting: September 14, 2009

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 201
Chelmsford, MA 01824

EXECUTIVE SESSION MINUTES
Monday, August 24, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman
Paul Cohen, Town Manager

Not attending:
Sean Scanlon, Selectman

Chairman Jeannotte called the meeting to order at 9:45 PM.

Chairman Jeannotte stated that she requested this Executive Session for the purpose of discussing two matters related to the value of real property:

(1.) appraisal reports on the proposed site of a new DPW facility on Alpha Road, and
(2.) an explanation of the purchase of property located behind the current Center fire station.

Concerning the first matter, Mr. Cohen provided a verbal status report on the appraisal of the proposed site of a new DPW facility on Alpha Road. He stated that there is some question regarding the need for a zoning change for the site. He doesn't believe a change is necessary, but it's not a supremely urgent matter, because the timeline for such a change would depend upon the outcome of the October 6th special election. He also stated that a Purchase and Sale agreement would be contingent upon approval by the voters on October 6th. He stated that he would consult with legal counsel John Georgio, who has expertise specifically in procurement issues, on the matter.

Concerning the second matter, Mr. Cohen stated that questions had arisen in the community regarding the purchase of property behind the current Center fire station by former Selectman Philip Eliopoulos. Mr. Cohen stated that he was not aware of any improprieties by anyone involved. The Town was never approached by Eastern Bank, the previous owner of the property, to see if the Town was interested in making a purchase. Mr. Cohen stated that he had been contacted by the local media concerning this issue and that he had stated to them that "there is nothing there."

Motion by Selectman Wojtas to adjourn the Executive Session. Selectman Dahlberg seconded the motion.

Roll Call:
Selectman Wojtas: AYE
Chairman Jeannotte: AYE

Selectman Dahlberg: AYE
Selectman Dixon: AYE

Motion carries, unanimous. Executive Session adjourned at 10:30 PM.

Respectfully submitted,

Eric R. Dahlberg
Clerk

CHELMSFORD BOARD OF SELECTMEN
Work Session Agenda
August 31, 2009

Town Offices
50 Billerica Rd.

6:00 p.m. Call to Order

Scheduled Business

- BOS / TM Goals
- Fall Town Meeting Warrant Articles

Unscheduled Business

-

Next Regular Meeting:

APPROVED 11/9/09

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Work Session Meeting MINUTES
August 31, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 6:00PM.

Board of Selectmen FY10 Goals
Chairman Jeannotte indicated that five categories of priorities were previously identified: Economic Development, Affordable Housing, Environmental Sustainability, Financial Relief, and Community Engagement. Chairman Jeannotte requested the Board's input regarding setting parameters on each, determining how each one should be achieved, how each one could be measured, and by what date each one could be completed.

Concerning the economic development goals, Selectman Wojtas stated that she considered the bullets concerning the Center Village and Vinal Square to be more long-term goals, dependent on several other town bodies, such as the Planning Board, Master Plan Committee and the Zoning Board of Appeals. Selectman Dixon felt the bullets pertaining to the commuter rail and UMass West Campus were also dependent on many other groups, some outside of the town. Mr. Cohen was not confident the Town had any influence on where the rail would eventually go, but he felt that getting a stop in Chelmsford was very important. He agreed to arrange a meeting with Beverly Woods of NMCOG to discuss the commuter rail issue and the UMass West campus property. Selectmen Wojtas and Dixon agreed to research whom to contact for legislative outreach in Mass. and New Hampshire regarding the commuter rail issue. Mr. Cohen will continue to work with the Community Development Office on these issues, as well as on the issue of parking in North Chelmsford. The Board would like to see the Economic Development Committee formed by October 15, 2009. Mr. Cohen agreed to reach out to Sovereign Bank in regard to the Oddfellows Building.

The application time for the Affordable Housing Plan Committee will be extended to September 10, 2009. The Board would like to appoint members of the committee at its September 14, 2009 meeting. Selectman Dixon suggested asking David Hedison for possible resources.

A goal for the Greener Chelmsford Initiative would be to attract one additional Chelmsford company to participate each month. Mr. Cohen noted that the Green Communities Program would require the Town to adopt a "stretch" code as part of the building code. Mr. Cohen agreed to provide a presentation for January to describe the process in more detail. Currently, towns and cities do not have to make "stretch" code a permanent part of their building code. Mr. Cohen provided a timeline for the Trash/Recycling contract, which expires in June, 2010. Mr. Cohen

suggested that a committee research several different options, such as maintaining the current system, "pay as you throw" programs, or a container program similar to what is being done in Lowell.

Mr. Cohen was encouraged to continue negotiations with Unions until agreement could be reached on health insurance issues. The Board noted a difference in perception versus reality of comparability of private health plans versus public health plans. Selectman Dahlberg offered to obtain information from the Massachusetts Association of Health Plans website which had statistics on costs and benefits of public plans. Mr. Cohen noted a 260% increase in health insurance costs over the last 15 years.

Mr. Cohen stated that he is monitoring various committees and NMCOG research on regionalization of services. A report from NMCOG is scheduled to be issued in 2010.

Mr. Cohen agreed to investigate additional potential revenue opportunities, and visit past initiatives. Selectman Wojtas suggested that the Board review fee schedules and have a subcommittee research what other communities are doing. Another goal is to maintain or improve the Town's bond rating. Long-term planning is proving difficult in light of increasing cost factors such as health insurance, retirement costs and assessments, salaries, and decreasing local aid and assistance from the State. Mr. Cohen will present 2-, 3-, and 5-year forecasts at Fall Town Meeting, which can be adjusted as more information becomes available.

Selectmen Dahlberg and Scanlon will draft a mission statement for creating a Legislative Redistricting Committee.

Betty Delaney, Town Clerk, has the list of people to recognize at the 20th anniversary of Representative Town Meeting in preparation for recognition at Fall Town Meeting.

Mr. Cohen is still looking for applicants for the 2010 Census Committee. A Kickoff event was held in Lowell on August 17, 2009.

Chairman Jeannotte suggested reinstituting the town newsletter that used to come from the recreation department. Mr. Cohen agreed to provide more frequent online and televised updates, but at this time, a paper newsletter would be too costly. Chairman Jeannotte asked if there was any demand to bring the recreation department back, to which Mr. Cohen answered he has not received any requests. Parents are changing how they do activities, which tend to be more informal. Chairman Jeannotte asked about the management of parks, recreation areas and open spaces. Mr. Cohen explained the Open Space Stewards have done a great job in managing these areas. Chairman Jeannotte would like to clarify BOS policy on which group or department is in charge of the various town owned properties later in the year.

Health Insurance Discussion

Mr. Cohen provided information regarding rates, benefits, cost comparisons and alternative options for health insurance benefits to Town employees. Mr. Cohen compared co-pays between programs, and current benefits offered by the GIC & the Blue Cross/Blue Shield alternative plans. Mr. Cohen noted patients can control their costs based on choices they make. Retiree premiums were reviewed, and there would be higher co-pays with the GIC program, however, prescription costs are less. At the last negotiation session with union representatives, the union asked for 50% of the Town's savings by going to a different plan. Chairman Jeannotte asked for

a public presentation regarding health insurance to be given at a Tri-Board meeting on September 21, 2009, which union representatives would prefer to delay, pending the outcome of legislative action to be completed in October or November. Selectman Scanlon and Mr. Cohen did not want such a session to create bargaining difficulties for future negotiations, as the School committee was in active negotation at present. Chairman Jeannotte felt the session would be a public service to educate residents and union members on available options. No public input would be heard at the session, as its purpose would be to provide information. She would encourage union representatives to attend as well.

Motion to adjourn by Selectman Wojtas. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Next Regular Meeting: September 14, 2009

Meeting adjourned at 9:40PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

8/24

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, August 10, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204
Name of Building

50 Billerica Road
Street Address

Elizabeth H. Delaney

Town Clerk's Signature

T. L. [illegible] 6/30/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, August 24, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 211

Name of Building

56 Billerica Road

Street Address

Elizabeth H. Delmey

Town Clerk's Signature

T. Ogurian 6/30/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen Work Session

Date of Meeting: Monday, August 31, 2009 **Time:** 6:00 pm

Location: Town offices Room Number: 204

Name of Building

50 Bullerica

Street Address

Town Clerk's Signature

Clerk/Bd. Member & Date 8/11/09

SEP 09

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
September 14, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements

- Chelmsford Women of Today
- Farm Day, Saturday September 26
- Library Book Sale September 25 – 27
- Special Town Election October 6
- Joint Information Session September 21

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. **Saint Vartanantz One Day All Alcohol License 9/26, 9/28**

7:35 p.m. **Café Madrid Bakery – Change of Hours**

7:45 p.m. **John Sousa - Bond Anticipation Note Auction Results / Document Approval**

7:50 p.m. **Joseph Shanahan - Westland's Place, 2 unit rental 40B/Lip Project**

Town Manager Reports

- Facilities Project Update
- Checklist for License Application Submissions
- Solid Waste Technical Assistance Grant Scope of Work

Town Manager Bid Awards

- Sidewalk Plow
- Speed Advisory Sign for Kate's Corner

Town Manager Appointments

- Commission on Disabilities

***** This meeting is televised. *****

Unscheduled Business

- Sign Warrant for Fall Town Meeting

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: September 28, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting MINUTES
September 14, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:00PM.

Public Service Announcements

Chelmsford Women of Today
Selectman Wojtas read a proclamation recognizing the Chelmsford Women of Today and announced that September 20-27, 2009 would be United States Women of Today Week. Melanie Kempton accepted the proclamation on behalf of the group and announced that they would be collecting items for the Food Pantry on October 17, 2009 at Market Basket from 9AM-3PM. Membership is open to women aged 18 and over, and the group meets on the third Tuesday of each month at the Adams Library at 7PM. More information is available by calling 978-256-8592, or visiting www.CWOTMA.org

Farm Day, Saturday, September 26, 2009
Bernie Ready spoke on behalf of the Chelmsford Historical Society to announce that Farm Day will be held from 12-4PM at 40 Byam Road. Activities will include museum tours, an art show, hay rides, refreshments, honey and cider making, pony rides and a produce sale. All are welcome to this free event. Rain date is September 27, 2009.

Library Book Sale, September 25-27, 2009
Chairman Jeannotte announced that a library book sale will be held in the Town Hall gym from September 25-27, 2009.

Brush Drop-off
Community Tree is having a brush drop-off event on October 3, 2009. Participation is free for Chelmsford Residents. Proof of residency will be required.

Special Election - October 6, 2009
Chairman Jeannotte reminded residents to vote on the Fire and DPW facility questions. Voter Registration ends on September 16, 2009, at 8PM.

Tri-Board Meeting
Chairman Jeannotte announced a Tri-Board Meeting to be held on September 21, 2009, 7PM, at the Chelmsford Senior Center to discuss employee health insurance options. No public input will be taken at this meeting as it is intended for informational purposes only.

Flu Vaccine Clinics
The Board of Health will hold two flu clinics. The first will be held on October 8, 2009 from 2-4:30PM for people aged 65 and older, or for those who have a chronic illness. The second will be on October 15, 2009 2-4:30PM for anyone else who is interested.

Open Session
Peggy Dunn, Bridge St. & Susan Gates asked residents to attend the final two weeks of the Farmer's Market, which is held from 2-6PM each Thursday.

Vivian Merrill, 23 Maple Rd., spoke on behalf of the Chelmsford Dog Association to announce their first fundraiser, a Yard Sale to be held on September 26, 2009, from 8AM-3PM at Colonial Oil, 8 Emerson Ave, Chelmsford. Donations will be accepted up to the date of the sale, and hotdogs, corn on the cob and baked goods will be available.

Committee Vacancies
Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office. Mr. Cohen will reduce the number of applicants for the Economic Development Committee from 9 to 7, and Selectman Wojtas asked if the number of applicants for the Affordable Housing Committee could be reduced to 7 members, as their report must be completed by April, 2010.

John Sousa-Bond Anticipation Note Auction Results/Document Approval
Mr. Sousa asked for approval of short-term borrowing pending the reimbursement of the two middle school projects. The lowest bidder for the nine month note was Eastern Bank, for a $6,399,347.00 bond anticipation note, at 1.25% interest.

Motion: by Selectman Wojtas to approve the sale of a $6,399,347.00 1.25% General Obligation Bond Anticipation Note of the Town dated September 17, 2009, and payable June 17, 2010 (the "Note") to Eastern Bank at par and accrued interest, if any, plus a premium of $31,996.74. It is further voted that in connection with marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated September 1, 2009, and a final Official Statement dated September 9, 2009, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted. It is further voted that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a material events disclosure undertaking in compliance with SEC Rule 15c-12 in such form as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time. It is further voted that each member of the Board of Selectmen, the Town Clerk, and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Scheduled Business:

Saint Vartanantz 2 One Day All Alcohol Licenses (for 9/26/09 and 9/28/09)
The church is holding a scholarship dance on September 26, 2009 and a golf banquet on September 28, 2009.

Motion: by Selectman Wojtas to approve 2-One Day All Alcoholic Beverages Licenses to St. Vartanantz Church on September 26, 2009 from 6-10PM, and on September 28, 2009 from 6-10PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Café Madrid Bakery-Change of Hours
Larry Fadjo was present to answer any questions regarding his request, which he is making to accommodate special functions as needed. The Entertainment license is requested for background music, radio or television, and perhaps an occasional live acoustic band if the opportunity arises.

Motion: by Selectman Wojtas to approve the Change of Hours for the Café Madrid Bakery on their Common Victualler License at 28 Alpine Lane to 6AM-11PM weekdays, and Sundays from 7AM to 11PM and to approve an Entertainment license for background music. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Facilities Project Update - Town Manager's Report
Gary Persechetti provided an update of the work completed over the summer to Chelmsford High School's Hot Water Tank, building façade, stadium seating and Press Box replacement. The gym at McCarthy Middle School received upgrades to the floor and bleachers; the originals were installed in 1959. The Chelmsford Forum received a new roof, ice system and dashers.

Joseph Shanahan - Westlands Place, 2-unit 40B/LIP Project
Mr. Shanahan spoke on behalf of Glen and Karla Kohl of the Arlington St. LLC in their application for a LIP endoresment for a 2-unit 40B project called Westlands Place. The lot is 72,000 SF, and is mostly Bordering Vegetated Wetland. There is a 12,000 SF section that is considered "upland", on which the duplex will be built. Access would be from Arlington St, along a 200 foot driveway. Fair St. is closer, however, is not viable due to a pump station for the sewer system built there. The driveway would be built over previously disturbed ground by a sewer easement. Pipe has already been laid under ground, and 2 manholes have already been installed by the Sewer Department. Weston & Sampson performed soil test borings, which show the area has 12-18" top soil, and the next 36 feet is sand, which would provide a suitable base for the driveway. The ground elevation will not be raised. The top soil would be removed, and gravel would be brought in. The driveway will be 2,214 SF, a proposed replication area of 2800SF will be created. As the disturbed area is under 5,000 SF, replication is not required, but the applicant wishes to provide it anyway. Conceptual drawings showed a single family gambrel style dwelling with 3 bedrooms, 1 bath floor plan for each unit; both units would count towards the Affordable Housing inventory. The affordable unit would be rented at a monthly rate of $1140.00/month. The market rate unit would go for $1417.00/month. The Chelmsford Housing authority would be the monitoring agent for both units. The applicant feels the design is in character with other homes and lots in the neighborhood. The proposal was forwarded to all the usual regulatory boards. The police Department indicated no concerns. The Fire Department suggested a change to the width of the driveway. The Community Development Director felt the project serves a local demand and as proposed was compatible with the neighborhood. The Conservation Commission's local bylaw does not apply under 40B regulation, as the applicant cannot comply with the 25 foot no-disturb zone as required in the local bylaw. Zoning issues

include building a two family structure in a single family zone, and a variance for the 150 foot frontage requirement, where only 41 feet of frontage is available. Abutters have been notified as requested.

Questions from the Board:
Selectman Dahlberg asked for clarification regarding a 600 SF loss to the Bordering Vegetated Wetland after replication. Selectman Dixon questioned whether the Conservation Commission could stop the project based on the applicant not being able to comply with the 25 foot no-disturb zone. Mr. Shanahan stated any DEP appeal would show 40B projects do not need to follow local bylaws. This lot can only be developed as a 40B project as it does not have enough frontage or upland under local bylaws to be developed any other way. Use Variances are no longer granted, and there is a strong need for Affordable Housing in Chelmsford. Selectman Scanlon asked how long the driveway would have been if the pump station was not there. Mr. Shanahan explained the driveway would have been between 50-60 feet, which his client would have preferred, but it is not viable. Chairman Jeannotte clarified the Fire Department's concerns, the parking area and questioned the paper street referenced by Mr. Belansky, as well as his suggestion that the house be moved to the left to create a play area for children. Mr. Shanahan explained the Planning Board process behind the paper street, and that it was created for access to 2 town- owned parcels off Wildwood St. Mr. Shanahan described the loop design for the sewer system, and that this would create an improvement for the neighborhood when the lines are flushed. Parking was located to maximize yard area. Selectman Jeannotte indicated the Board would not vote on the project tonight, and she was not supportive of the applicant's request to waive half of the application fee. Mr. Cohen noted the applicant's status as not being a non-profit developer, and the considerable use of Town services. Chairman Jeannotte disagreed that a precedent was set with a prior applicant that went before the Board on a previous occasion. Chairman Jeannotte thanked Mr. Shanahan for notifying abutters of this meeting, even though he was not required to do so.

Motion: by Selectman Wojtas to maintain the $1000.00 filing fee for a Local Initiative Project application as set by policy. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Audience Comments:
Gene Diodati, an abutter, asked the Board to reject this proposal, and presented the Board with a petition signed by 65 abutters in opposition to the project. This project goes against the Town's commitment to wetland preservation and open space. He agreed the intent of 40B is good, but its methods are questionable. Variances could be requested in the future to add other structures. An easement around the pump station could have been requested to minimize disturbance to the area, and part of the proposed driveway is actually on an abutter's property. He feels the financials are understated, and the only way to make the project profitable is to add more buildings in the future. Mr. Kohl has a history of Conservation violations starting in 2000 and 2001. Mr. Diodati researched the LLC, and could not find a business registered by the applicant's name. Chairman Jeannotte asked if the prior memo of understanding had been resolved. Mr. Diodati believed it was never followed up. Mr. Shanahan stated the LLC organization is still pending.

Charlie Whiting. 8 Arlington St. had wetland concerns, and the entire area, including the upland section, is wet. He walked the land today, and was able to fill a bottle with water at one of the high areas. He observed 5 different survey companies look at the elevations of this property, per

Mr. Kohl's request. The area is wet in August, it will be wetter in the spring. Mr. Cohen explained the engineering plans presented would be peer reviewed.

Marian Paresky, 10 Smith St. felt this project was another abuse of wetlands. It would be unfair to put children in a mosquito ridden swamp, and a great health hazard. She feels the utility costs presented are not realistic, most people pay more than $266.00 per month for utilities. This land is not conducive to building a home.

Richard McClure, 8 Westford St., spoke on behalf of his in-laws, who felt more than 2400 SF would need to be disturbed in order to install utilities along the sewer easement. He was surprised to learn the DEP could supersede conservation bylaws. Chairman Jeannotte explained that LIP has standards under DHCD regulations as well. Mr. McClure feels the Board should not recognize a corporation that doesn't exist.

Tracy Gardner Reinhold, 20 Woodbine St. encouraged the Board to speak with the Conservation Commission regarding the applicant's prior conservation violations.

Lynn Sullivan, 14 Evergreen St. had concerns that the loop for hydrant flushing would send water back into the wetlands. She tried walking the land, and found it very "boggy". She asked how the wetlands would be protected from salt, fertilizers and runoff. She did not agree that $1100.00 rent per month was very affordable. She would request the applicant show how this plan would prevent further degradation of the wetland, as kids are destructive (she has 2).

Mr. Shanahan explained that rents are dictated by the state, via DHCD and the Chelmsford Housing Authority. Rules against degradation are set by the Town. Mr. Kohl has no actions against him. The proposal calls for creating more wetlands than are being disturbed. The Conservation Commission will have a public hearing regarding this project. The petition given to the Board was based on hearsay that a 30 unit development was being planned, which is false. Two units are being requested because that is all there is room for. He has no intentions of asking for more units in the future because there is no room to build them. Mr. Diodati admits he is OK with access coming from Fair St, but not from Arlington St. Utilities would be run along the sewer line, under the driveway.

Mr. Diodati clarified that access from Fair St. would prevent access to additional residences. He hopes the Board would stop a project that is not in the best interests of the Town.

Mr. McClure feels it is a liability to abandon 2 families at the end of an extremely long driveway. The water runs down the hill, he feels replication efforts will not work. Chairman Jeannotte advised she would discuss conservation issues with the Conservation Agent. Mr. Cohen explained many developers set up LLCs by the project. Mr. Shanahan explained LIP is an exploratory process, and completed filing need not be done yet, but would be required before going before regulatory boards.

Motion: by Selectman Wojtas to continue hearing until October 5, 2009 at 7:45PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Joseph Shanahan, 66 Graniteville Rd.

Mr. Shanahan asked the Board to waive the Town's Right of First Refusal for this parcel. Chairman Jeannotte agreed no Town Departments had voiced any interest in obtaining the parcel when it was previously reviewed.

Motion: by Selectman Wojtas to decline purchase of the property at 66 Graniteville Rd., by the Town of Chelmsford. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Reports

Checklist for License Application Submissions
Mr. Cohen provided a list of Boards applicants must contact when applying for Restaurant and Entertainment Licenses, and Auto Dealers Licenses or Expansion of Licenses. The applicant must notify the Town Manager's office upon compliance with requirements or conditions for all departments, as the departments notify the Town Manager's office if issues exist. The list was created as a way to expedite the process for applicants, so they know who they must see and what they are required to provide.

Solid Waste Technical Assistance Grant Scope of Work
Mr. Cohen explained a grant was awarded to the Town to assist in preparing for the new solid waste/recycling contract which will begin July 1, 2010. Mr. Cohen is looking to get direction on what to bid for by mid-October. Surrounding Towns are moving toward automated collection. Mr. Cohen needs to consider whether to have the entire Town picked up on one day, or throughout the week as is currently done. He also is considering weekly recycling pickup, as opposed to biweekly pickup as is currently done. The container size will also need to be decided. Leaf collection considerations would be done under a separate contract. Once the options have been researched, and RFP will be developed, and finally public education and outreach will be done. The Town has a very successful recycling rate at present. Carolyn Dann of DEP has worked with the Town before, and is familiar with the area. The work done by the prior committee will be used to assist in decisions.

Other business
Mr. Cohen attended a meeting regarding Route 495 bridge replacements. The bridge on Westford St. may be eligible for funding, more information will be forthcoming on traffic detours and other considerations.

Mr. Cohen received notification that Chelmsford St. Mobil has applied for a Keno License with the State Lottery Commission.

Mr. Cohen reminded the Board about the state required Conflict of Interest Law Training coming up in October. The Board was provided a summary of changes to the law, as provided by Town Counsel.

Town Manager Bid Awards

Bid Award-Sidewalk Plow
Six responses were received for a sealed bid for one New Sidewalk Plow, Blower, and Sweeper.

Motion: by Selectman Wojtas to approve the recommended bid award to Dyar Sales at $113,080.00 for a sidewalk tractor with blower, sweeper and low attachments. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Speed Advisory Sign for Kate's Corner
Three bids were received for this project.

Motion: by Selectman Wojtas to approve the recommended bid award to Dagle Electrical Construction Corp. for driver feedback signs and flashing three-way beacon in the amount of $22,688.00. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Appointment

Commission on Disabilities
Mr. Cohen requested the appointment of Rosalyn Tavanis to the Commission on Disabilities.

Motion: by Selectman Wojtas to approve the Town Manager's appointment of Rosalyn Tavanis to the Commission on Disabilities. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Unscheduled Business

Sign Warrant for Fall Town Meeting
Mr. Cohen reviewed the list of Fall Town Meeting Warrant Articles. Chairman Jeannotte requested more information on Article 9, Land Swap of Conservation Land for Chelmsford Water District Land, which will be provided at a future meeting. Mr. Cohen explained the RFP process for billboards is still being developed on the methodology on the best way to lease the land. The billboard overlay article was removed, as Town Counsel ruled it was not necessary, and the outstanding bills article was removed, as there are no unpaid bills. An article was added to replace the Chelmsford Forum scoreboard.

Motion: by Selectman Wojtas to approve the Fall Town Meeting Warrant as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Selectman Referrals:

Selectman Dixon:
Selectman Dixon stated that he and Selectman Dahlberg separately met with Matt Sheehan and other North Chelmsford residents to discuss the condition of Varney Playground. He was provided with a list of concerns and proposed projects to be done. Mr. Cohen met with the Police Chief to discuss public safety concerns and the pre-existing uses allowed at 1 Shore Dr, by the canal. Mr. Cohen hopes to have a report soon regarding the condition of the dam and boat access on the spillway.

Selectman Scanlon:
Selectman Scanlon received concerns from several residents that not enough advertising was being done for the special election on October 6, 2009. Mr. Cohen advised that the Town cannot act as an advocate for the election. Notices have gone home from the schools, and it is advertised locally though cable, the Town's website, and the newspaper.

Selectman Scanlon requested the status of a State Farm Grant that he had previously brought to the Town Manager's attention. Mr. Cohen explained Trish Dzuris is following up on that grant and one sponsored by Wal-Mart.

Selectman Dahlberg:
Selectman Dahlberg stated that he assisted the Land Stewards in their clean-up event at Roberts Field with Chairman Jeannotte and other officials and residents.

Selectman Wojtas:
Selectman Wojtas announced that NMCOG applied for and won a grant for $100,000.00 to study the regionalization of 911 call centers. More information will be forthcoming.

Chairman Jeannotte:
Chairman Jeannotte attended a regionalization seminar with Selectman Wojtas on September 3, 2009. She will pass on additional information as it becomes available.

Chairman Jeannotte attended the Rail Trail Opening Event on August 29, 2009. Mr. Cohen has received no complaints to date. A resident was researching possibly doing a walk-a-thon on the trail. No safety concerns have been raised for children or adults using the trail, except for the crossing by the Old Town Hall. The trail is being maintained through volunteer efforts at this time. A suggestion was made to plant ivy by the mural by the Ginger Ale site.

Chairman Jeannotte is continuing to monitor the Westford Asphalt plant hearing. Traffic concerns are being addressed, things are moving slowly.

Press Questions
Rita Savard of the Lowell Sun wished to verify the spelling of Heart Pond. Selectman Wojtas provided clarification.

Executive Session

Motion: by Selectman Wojtas to enter Executive Session, not to return to Regular Session, for the purpose of discussing the value of real property, the status of litigation, and contract negotiation.

Roll Call Vote:
Selectman Dixon: Aye
Selectman Dahlberg: Aye
Chairman Jeannotte: Aye
Selectman Wojtas: Aye
Selectman Scanlon: Aye

Next Regular Meeting: September 28, 2009

Meeting adjourned at 10:10PM.

Respectfully Submitted,

Vivian Merrill

Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
September 28, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements

- Chelmsford Mother's Club

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. **Evan Belansky - EPA grant - public meeting**

7:45 p.m. **Radisson – Change of Manager**

7:47 p.m. **Brickhouse Pizza – Automatic Amusements**

7:50 p.m. **Café Madrid – Additional Seating**

7:55 p.m. **Joseph Shanahan – 66 Graniteville Road**
- Conservation Restriction

8:00 p.m. **Jennifer Almeida**
- Proposed New Solid Waste/Recycling Bid Specifications

8:15 p.m. **John Sousa & Darlene Lussier – Budget Update**
- 2009 final
- 2010 year to date

8:30 p.m. **John Sousa** - Investment Report

Town Manager Reports
- Town Meeting Warrant Article Review
- State Ethics Training

Town Manager Appointments
- Conservation Commission
- Holiday Decorating Committee
- Precinct workers

***** This meeting is televised. *****

Board of Selectmen Appointments

- Affordable Housing Committee

BOS Meeting Minutes

- BOS Executive Session Minutes June 29, 2009
- BOS Executive Session Minutes July 13, 2009
- BOS Public Input Session Minutes July 22, 2009
- BOS Regular Meeting Minutes July 27, 2009
- BOS Regular Meeting Minutes August 24, 2009

Unscheduled Business

- Hannaford Corporate Restructure – Common Victualer License

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: October 5, 2009

APPROVED 11/9/09

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
September 28, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:00PM.

Public Service Announcements

Chelmsford Mothers' Club
Cynthia Dorman, 5 Douglas Rd. announced the Chelmsford Mothers' Club was holding their semi-annual Children's Clothing Tag Sale on October 3, 2009 from 9AM-12:00PM at the Greater Visions Children's Center, by the St. Vartanantz Armenian Church. Admission is $1.00 per adult, all are welcome.

Brush Drop-Off
Chairman Jeannotte announced that Community Tree would be holding a brush drop-off event on October 3, 2009 from 8AM-2PM. The service is free to Chelmsford residents.

Special Election
Chairman Jeannotte reminded residents that a Special Election was being held on October 6, 2009, from 7AM-8PM regarding debt exemption questions for the DPW and Fire Station Headquarters projects. Additional information would be provided at a session being held at the Police Station Community Room from 7-9PM.

Open Session
Kathy Duffett, 47 Thomas Dr., asked residents to patronize local businesses on October 1, 2009, to support them when the new local options taxes go into effect. She asked residents to wear maroon, and thank local businesses for staying in Chelmsford. She provided maroon bracelets to the Board, to show support of this initiative. The bracelets will be available at the Java Room on October 1, from 8-10AM.

Peggy Dunn, Bridge St. announced that the Farmer's Market is officially closed for the season. She thanked everyone that helped make this possible, including the Central Baptist and Universalist Churches for use of their parking lots, Gentle Arms Transportation, Kathryn Kelly, farmers, vendors, customers and many people and Town Departments for their assistance. She hopes to see everyone next year.

Wendy Wood, resident parent, wished to make the Board aware of parent concerns regarding possible further 9C state aid cuts, and the effects this would have on the schools. Her son is in a

Kindergarten class of 25, and appreciated that the School Committee is hiring aides to assist in larger classes. The Town needs to invest in its schools to maintain their quality.

John Harrington, Massachusetts Packagers Association, asked the Board to oppose Senate Bill 400, which would allow the sale of alcoholic beverages at Farmers' Markets and Fairs. The Association cited a lack of control on who is allowed to purchase alcoholic beverages at such events, which package stores and restaurants can effectively control.

Danielle Evans, 18 Janet Rd. asked the Board to be concerned about the effects of further cuts to the schools. She feels many parents aren't aware of what the school committee is up against. Chairman Jeannotte suggested town meeting representatives and concerned parents should attend finance and school committee meetings, as well as contact their legislators to explain how Chelmsford would continue to be adversely affected by further cuts.

Committee Vacancies
Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office. Special skills are not needed to volunteer; applications can be kept on file for suitable matches.

Scheduled Business:
Evan Belansky-EPA Grant-Public Meeting
Mr. Belansky provided a map of 25 Katrina Rd., the abandoned site of a former semi-conductor business. The site was taken by the Town for non-payment of taxes in 2006. The Town assumes no liability for environmental contamination on the site, but wishes to provide remediation to make the site available for redevelopment. Under the provisions of Chapter 43D, the site was designated as a Priority Development Site, which makes it eligible for additional funding. In 2008, the Town submitted an EPA Brownfield's Targeted Assessment Application for groundwater sampling. Additional funding is being requested to implement a clean-up plan, to include demolishing the building, and abatement of hazardous materials. Additional public meetings and outreach will occur, as required under Chapter 43D. Environmental benefits of this project include groundwater monitoring, removal of soil contamination, and restoration of a turtle habitat. Public Health and Social benefits include removing pollutants and improving visual appeal. Economic benefits include realizing redevelopment potential, creation of new jobs and increased tax revenue. This grant application must be submitted by October 16, 2009, comments can be submitted up to 10 days prior via e-mail or telephone. Selectman Dahlberg asked if it was possible to have the prior tenants contribute to the clean up of the site. Mr. Belansky explained he has requested that $100,000.00 that is being held in an escrow account for Silicon Transistors be used for this purpose. The Water District has installed a treatment system to protect the nearby water supply. Selectman Scanlon questioned how dust would be contained as the building was demolished. Robert Reynolds of Wheatstone Engineering stated measures would be taken to minimize the spread of dust and debris as the building is taken down. Chairman Jeannotte asked if adequate funding was available to complete the remediation. Mr. Belansky estimated the costs to be around $150,000.00, hence the request to access the escrow account. Part of the 43D process includes expedited permitting, once a use has been established. Selectman Dixon asked about Chapter 21E requirements, and was told some contamination typically stays, but would have no effect on a potential developer to acquire financing.

This being a Public Hearing, the Chaiman asked for comments and questions from the public. Neil Lerer, 4 Manahan St. asked if there were effects from the JapEnameLac plant nearby. Mr. Belansky knew the site was privately owned, and agreed to try to obtain more information.

David Flynn, representing Altid Enterprises, asked if DEP reports are available, and what help might be available if abutting property has been contaminated. Mr. Belansky responded that all DEP reports are available at Town Hall. At present it appears that the ground contamination may have spread to the Rivermeadow Brook wetland system, the self storage site, and to Route 495. There are no active remediation steps available by the Town; most of the affected area is unbuildable.

Radisson Hotel-Change of Manager
Scott Durkee was present for questions, and is the new General Manager of the hotel. Mr. Cohen verified the CORI check came back with no incidents; Mr. Durkee admitted to an incident which occurred when he was 16 on the application.

Motion: by Selectman Wojtas to approve the Change of Manager for the Chelmsford Hotel Company, d/b/a Radisson Hotel & Suites, from William MacDonald, Jr. to Scott M. Durkee. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Brickhouse Pizza-Automatic Amusements
Mr. Cohen explained several similar licenses exist in Town. This application is for 4 video game machines. Police investigation indicated no concerns. If more machines are requested, the applicant would need to apply for a variance before the Board of Appeals.

Motion: by Selectman Wojtas to approve the application for 4 Automatic Amusement devices for Center Brickhouse Pizza. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Café Madrid Bakery-Additional Seating
Mr. and Mrs. Fadjo were present to request allowing 14 temporary additional seats for their restaurant. The seats would be calculated as eligible based upon 6 parking spaces borrowed from Robert Walker's space. Mr. Walker has agreed to allow them use of his parking spaces for 45 days, pending the Planning Board's hearing and decision for a modification to a Special Permit. Mr. Belansky explained that because of the Planning Board hearing and because the rest of the plaza is vacant, granting the request for the temporary seating made sense. Mr. Cohen explained that fencing has been removed to allow for additional parking from the Radisson Hotel for the employees. Chairman Jeannotte noted the Fire Department raised concerns about seating being too close to the door, and these issues should be resolved before the Board makes a decision. Mrs. Fadjo expressed her disappointment with the process. Selectman Wojtas explained to her that usually, Planning Board issues are resolved before coming to the Board of Selectman. The Board agreed to consider the temporary seating change at their next meeting.

Joseph Shanahan-66 Graniteville Rd.
Conservation Restriction
Preservation Restriction

Mr. Shanahan provided the final copy of the conservation restriction for the Open Space parcel, as approved by the Conservation Commission. He requested the Board of Selectmen sign off on it as well. Mr. Shanahan is still finalizing the Preservation Restriction document for the barn.

Motion: by Selectman Wojtas to accept the Conservation Restriction document for 66 Graniteville Rd., as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Jennifer Almeida
Proposed New Solid Waste/Recycling Bid Specifications
Mr. Cohen explained the planning process for a new solid waste/recycling contract, as the current contract will expire on June 30, 2010. Ms. Almeida provided some statistics on how much waste is generated by the Town, and the associated costs. There will be a separate contract for the hauler, and the incinerator. The new fees for tipping will be lower in FY'10, and the department is considering automated collection, as is done in surrounding towns. Chelmsford has a high percentage of recycling, relative to some communities, contributing to significant drops in tonnage. The current proposal by the department is to supply one 39 gallon barrel per household, with bags for additional trash available at an additional cost, and to include weekly pickup of recycling, with no limit, and no need for sorting. The new program will not reduce the budget, but will make for a better community appearance. Residents would be allowed to purchase a second barrel, at an annual cost. Multi-family units using dumpsters will be provided the same allocation for solid waste disposal, based on number of units. The new system will encourage recycling. Schools will have one dumpster for trash, and one dumpster for recycling. Selectman Scanlon noted the reduction from four 32 gallon barrels currently allowed to one 39 gallon barrel, and Ms. Almeida explained very few people use all 4 barrels, they mostly put out one or two. Large items would be picked up by appointment; residents would call the hauler to arrange this. Recycling and pickup for small businesses is still being researched. Ms. Almeida noted there is grant assistance available to communities going with the smaller barrels. The funding would assist with outreach to residents. Carolyn Dann, DEP consultant, explained larger barrels tend to decrease the percentage of recycling that is done. There are multiple companies interested in bidding for Chelmsford. Mr. Cohen agreed to provide more information at the next regular scheduled meeting.

John Sousa & Darlene Lussier-Budget Update
Mr. Sousa explained FY09 was an exceptionally difficult year due to much uncertainty and many changes needed during the year. The final reports are still being certified by the state Department of Revenue. One of his goals is to increase the stabilization fund back to $5 million dollars. Ms. Lussier explained that local receipts exceeded original estimates. Stimulus funding offset the cut to Chapter 70 and Charter School reimbursement reductions. A sale on Steadman St, a legal settlement and FEMA reimbursement also helped increase revenues. A grant received for Dispatchers and not purchasing police cruisers helped decrease some expenses. FEMA payments helped with snow and ice removal costs. She hopes to have the certified results before Fall Town Meeting.

Ms. Lussier reported a 19% collection rate to date for FY2010, and state reimbursements are coming in on time. A large permit from the Chelmsford Housing Authority has also been paid. Motor Vehicle Excise commitments will not be ready until January, 2010. Mr. Cohen noted that the State has advised all cities and towns should be conservative, as the state's first quarter numbers come out. Mr. Cohen warned that more 9C cuts may be coming. Ms. Lussier stated an audit by Powers and Sullivan is pending. Ms. Lussier's staff was commended in assisting her to compile all information for the MSBA reimbursement of the middle schools projects and the high school stairwell project in a hurry. Ms. Lussier corrected an accounting error that was discovered in the process. Mr. Cohen clarified that $1.2 million will be returned to the stabilization fund, and $360,000.00 will come back out to correct the error. This will be explained and voted on at Fall Town Meeting.

John Sousa-Investment Report

Mr. Sousa provided a semi-annual report ending June 30, 2009, listing all of the Town's invested accounts and their balances. Mr. Sousa stated the Town earned $515,184.00 on general fund investments, which is down 36% from the previous year due to declining market conditions. The stabilization fund earned $155,427.00. Mr. Sousa noted that record low interest rates benefited the Town by reducing short and long term borrowing, but also resulted in lower interest earnings on invested funds. He will present another report in December.

Town Manager Reports:

Town Meeting Warrant Article Review
Mr. Cohen reviewed each article for Town Meeting. The Articles will need to be voted on by this Board next week. Article 1 is the standard reports of Town Officers and Committees. Article 2 would transfer all certified (estimated at $1,267,291.00) Free Cash into the Stabilization Fund. Article 3 is an e-rate reimbursement of $32,668.00 to the School Department.
Article 4 would transfer $10,000.00 into the Community Action Program. Article 5 would amend the FY2010 Operating Budget by $25,000.00 for the special Election; $25,000.00 for the High School Ceiling collapse; $50,000.00 to replace the McCarthy Middle School fire curtain, and $361,111.00 for excluded debt service. Assessments and growth numbers are still pending. Article 6 would provide $30,000.00 to replace the scoreboard at the Chelmsford Forum. Bob Morse will be present on October 5, 2009 to discuss Articles 7 & 8. Article 9 is the first step of the State Article 97 process to allow a land swap where the Conservation Commission trades a 4.17 acre parcel for 2 parcels totaling 4.43 acres with the Water District. The swap would enable the Water District to secure an area around one of their water towers. Article 10 would approve a transfer oversight of High School land to the Board of Selectmen for installation of a billboard, along with an authorization to lease the land for up to 20 years. Article 11 is a similar authorization to lease a town-owned parcel by Routes 3 & 40 for billboards for up to 20 years.

State Ethics Training
Training sessions will occur on October 8, 2009 from 4-6PM or 7-9PM at the Police Station Training Room. All municipal employees must complete this training per new ethics regulations. Mr. Cohen requested that Jeanne Parziale be appointed as the liaison to the State Ethics Commission. A formal vote will be done at a later date.

Other Reports
Doug Wright has resigned from the Permanent Building Committee and the Historic Commission.

Town Manager Appointments
Conservation Commission

Motion: by Selectman Wojtas to approve the appointment of Cori Rose to the Conservation Commission for a two year term to expire in 2011. Seconded by Selectman Dahlberg. Motion carries, unanimous.
Holiday Decorating Committee

Motion: by Selectman Wojtas to approve appointment of Joanne Flanagan, Joseph Flanagan, Kenneth Kydd, Sharon Kydd, Iris Larssen, Laurence Larssen and Nancy Prentice to the Holiday Decorating Committee for a term to expire on December 31, 2009. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Precinct Workers
The Town Manager reviewed the list of precinct workers as presented in the memo/document dated September 22, 2009 from the Town Clerk.

Board of Selectmen Appointments
Affordable Housing Plan Committee.
Selectman Jeannotte announced that George Dixon will be the Board of Selectmen's liaison to this Committee.

The Board voted on 3 citizen applicants, 2 of which would serve on this Committee:
Deb Taverna: 5 votes for
Donald Van Dyne: 0 votes for
John Edward: 5 votes for

The Planning Board's liaison will be Susan Carter. Georgi Mueller will represent the Chelmsford Housing Authority, Bill Gilet will represent the Zoning Board of Appeals, and Cori Rose will represent the Conservation Commission.
BOS Meeting Minutes
BOS Executive Session Minutes June 29, 2009
Motion: by Selectman Wojtas to approve and release the Executive Session Minutes of June 29, 2009, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Executive Session Minutes July 13, 2009
Motion: by Selectman Wojtas to approve and release the Executive Session Minutes of July 13, 2009, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Public Input Session Minutes July 22, 2009
Motion: by Selectman Wojtas to approve the Public Input Session Minutes of July 22, 2009, as amended. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes July 27, 2009
Motion: by Selectman Wojtas to approve the Regular Meeting Minutes of July 27, 2009, as amended. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes August 24, 2009
Motion: by Selectman Wojtas to approve the Regular Meeting Minutes of August 24, 2009 as amended. Seconded by Selectman Dahlberg. Selectman Scanlon abstained, all others in favor. Motion carries.

Unscheduled Business
Hannaford Corporate Restructure-Common Victualer License
Mr. Cohen explained this process was similar to the change in Corporate Structure that the Board reviewed for Bertucci's Restaurant at a prior meeting. Shop' n Save Mass will be merged with Victory Distributors, Inc. Both are subsidiary corporations for Hannaford Bros.

Motion: by Selectman Wojtas to accept the change in name of Shop'n Save Mass., Inc d/b/a Hannaford Food and Drug, to Victory Distributors, Inc d/b/a Hannaford Food and Drug, effective October 1, 2009. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Selectman Referrals:

Selectman Scanlon:
Selectman Scanlon is working with Selectman Wojtas to create a Military Covenant Program through Hanscom Air Force Base to offer volunteer services to military families. More information will become available in November.

Selectman Wojtas:
Selectman Wojtas added that the Elks have offered to host the Military Covenant signing ceremony that Selectmen Scanlon described.

Selectman Wojtas saw an article in the Boston Globe that listed Chelmsford as an overlooked community as a place to reside.

Selectman Dahlberg:
No referrals.

Selectman Dixon:
Selectman Dixon attended a Celebration of Giving hosted by the Paul Center, and asked residents to support this worthy program.

Chairman Jeannotte:
No referrals.

Press Questions
None at this time.

Executive Session
Motion: by Selectman Wojtas to enter Executive Session, not to return to Regular Session, for the purpose of discussing negotiating strategy with respect to collective bargaining.

Roll Call Vote:
Selectman Dixon: Aye
Selectman Dahlberg: Aye
Chairman Jeannotte: Aye
Selectman Wojtas: Aye
Selectman Scanlon: Aye

Next Regular Meeting: October 5, 2009

Meeting adjourned at 10:25PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 201
Chelmsford, MA 01824

EXECUTIVE SESSION MINUTES
Monday, September 28, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 10:30 PM.

Chairman Jeannotte stated that she requested this Executive Session for the purpose of discussing negotiating strategy with respect to collective bargaining.

Mr. Cohen provided the Board with an overview of potential alternative health insurance plans for town employees. He distributed a number of hard copy documents to assist with his overview. He provided a summary of the recent history of negotiations with town unions on this matter and discussed options for next steps.

Mr. Cohen then provided the Board with a verbal status report on town funding for Quinn Bill costs. He stated that it is the opinion of town counsel that the town is obligated to pay the full Quinn Bill reimbursement for non-union employees of the police department, which includes the chief, the deputy chief, and the lieutenants.

Motion by Selectman Wojtas to adjourn the Executive Session. Selectman Dahlberg seconded the motion.

Roll Call:
Selectman Wojtas: AYE
Chairman Jeannotte: AYE
Selectman Dahlberg: AYE
Selectman Dixon: AYE
Selectman Scanlon: AYE

Motion carries, unanimous. Executive Session adjourned at 11:00 PM.

Respectfully submitted,

Eric R. Dahlberg
Clerk

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

11/9

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, September 14, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

8 Billerica Rd

Street Address

T. Gunn 7/28/09

Town Clerk's Signature Clerk/Bd. Member & Date

Exec Session

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Joint Informational Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, Sept 21, 2009 **Time:** 7:00pm

Location: Senior Center Room Number:
Name of Building

75 Groton Road CANCELLED
Street Address

Elizabeth H. Delmey L. Quinn 9/2/09

Town Clerk's Signature Clerk/Bd. Member & Date

Exec Session

RECEIVED

09 SEP -2 PM 2:08

TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

✓ 11/9

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, September 28, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd

Street Address

Town Clerk's Signature

Exec Session ✓

T Quinn 7/25/09

Clerk/Bd. Member & Date

OCT 09

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
October 5, 2009

Town Offices
50 Billerica Rd.

6:00 p.m. **Executive Session**
John Giorgio, Kopelman & Paige Litigation Update

7:00 p.m. **Call to Order**

Public Service Announcements
- Town Halls Benefit Concert

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. **Home of the Famous Cuban d/b/a Café Madrid – Additional Seating**

7:35 p.m. **Bob Morse – CPC Articles**

7:45 p.m. **Jennifer Almeida – New Solid Waste and Recycling Bid Specifications**

8:00 p.m. **Joe Shanahan – Continuation Westland's Place LIP Proposal**

8:30 p.m. **Town Halls Utilization Study Committee Report**

Town Manager Reports
- Massachusetts School Building Authority Reimbursement McCarthy and Parker Middles Schools
- FEMA Reimbursement for December '08 Ice Storm

Town Manager Appointments
- Bicycle and Pedestrian Advisory Committee
- Economic Development Commission

Unscheduled Business
- Board Position on Town Meeting Warrant Articles
- BOS / Town Manager Goals

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: October 26, 2009

***** This meeting is televised. *****

APPROVED 12/21/2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting Minutes
October 5, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:05PM.

Public Service Announcements

Chairman Jeannotte reminded residents that a Special Election is being held on October 6, 2009. Polls will be open 7AM-8PM.

Town Halls Benefit Concert
Laura Lee, Precinct 2 Town Meeting Rep, announced that several local performers will be donating their talents to support the Town Halls Utilization Project at a concert to be held at the Performing Arts Center on November 21, 2009 beginning at 7PM. More information is available by e-mailing townhallsbenefit@yahoo.com. Tickets are available at various locations across town.

Chairman Jeannotte announced that the first flu clinic of 2009 would be held on Thursday, October 8th, 2-4:30PM, at the Senior Center. All sSeniors and people with chronic illnesses can receive a flu shot. A second session is scheduled for October 15th, same time & location, for the general public.

Chairman Jeannotte announced for the convenience of those in attendance that the Westlands Place hearing is being continued by request of the applicant's representative.

Open Session
Jim Heck, 122 Robin Hill Rd., stated that he had concerns with the proposed new trash system. Mr. Cohen suggested that comments be held until after the forthcoming presentation on this topic, as many questions might be answered. Chairman Jeannotte allowed questions to be raised. Mr. Heck asked how large and odd shaped items would be picked up, what was the liability to the homeowner of keeping the equipment, and he was concerned that the new system offered less flexibility to residents.

Patrick Maloney, Chair of the Permanent Building Committee, announced that he was notified today that the Town has been approved for $7,280,337.00 in reimbursement for the middle schools projects. A reimbursement of $8,739,000.00 has been received for projects done at the high school. Chairman Jeannotte thanked him for a successful project.

Peggy Dunn, 2 Bridge St., stated that the proposed 64 gallon trash tote is too big for her to handle.

Deborah Dery, 19 Steadman St., stated the she felt that to ask residents to purchase special bags for excess trash would increase illegal dumping that is already occurring all over town. Chairman Jeannotte assured her that clarifications regarding the new program would be explained later in the meeting that evening.

Maria Karafelis, 26 Quigley Ave. stated that she is concerned about how multi-family homes would be assigned the new trash barrels, as many homes on her street are multi-family homes with absentee landlords.

Committee Vacancies
Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website or through the Town Manager's office.

Town Manager Reports

Massachusetts School Building Authority Reimbursement-McCarthy and Parker Middle Schools
Mr. Cohen confirmed Mr. Maloney's prior announcements regarding the reimbursement for middle schools projects. The Town Accountant is submitting receipts for the middle schools portion of the project. Payment should be received within four months. Mr. Cohen thanked everyone involved in the projects for their assistance.

FEMA Reimbursement for December 2008 Ice Storm
Mr. Cohen announced that $368,925.87 was received in reimbursement from FEMA for expenses incurred by the December 12, 2008 Ice Storm. The Town spent $491,901.16 for debris removal and cleanup of hanging branches. Mr. Cohen thanked everyone who helped make this possible. Chairman Jeannotte acknowledged Mr. Cohen's efforts in advocating for FEMA reimbursement.

Other Reports
Mr. Cohen announced that Town Finance Director John Sousa has received a check from the insurance company for the High School ceiling collapse. The payment came to $12,694.08, after the Town's $10,000.00 deductible. Total costs came to $34,441.74, including the costs to shore up other affected areas. Selectman Dahlberg asked if this claim would affect future insurance rates. Mr. Cohen felt that, where this was a minor claim, rates would probably not be affected.

Scheduled Business

Home of the Famous Cuban d/b/a Café Madrid-Additional Seating
Attorney Angelique Eliopoulos spoke on behalf of Mr. & Mrs. Fadjo, who were absent due to a family emergency. Attorney Eliopoulos stated that the applicants are requesting additional seating from 60 to 74 on a 45-day temporary basis, necessary for Planning Board approval. Parking spaces are being leased from the Radisson Hotel. Permanent modifications are pending review, and will be submitted via Evan Belansky's office, and will include the new seating plan. A new stamped plan has been submitted, Fire Department concerns have been addressed, dance

floor seating has been removed, tables have been moved away from the exit, and ADA concerns have been addressed.

Mr. Hickey, ADA coordinator, presented the Board with a letter. Mr. Hickey visited the restaurant, and agreed it looks great. Mr. Hickey suggested using double doors for easier means of egress in the event of a fire. Mr. Cohen explained that the Building Inspector has raised no concerns regarding the temporary increase in seating; the new plan complies with building code requirements. Selectman Wojtas noted that this situation is not setting a precedent, as the rest of the building is vacant, which creates a unique situation.

Motion: by Selectman Wojtas to approve a temporary increase in seating, from 60 seats to 74 seats for the Home of the Famous Cuban, LLC, d/b/a Café Madrid, on their All-Alcoholic Restaurant License to be exercised on the premises at 116 Chelmsford St. The Temporary increase is valid until November 11, 2009. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Bob Morse - CPC Articles
Mr. Morse noted that November 29, 2009 will be the 50th anniversary for the historic 17th century Garrison House. Article 7 for Fall Town Meeting is a $25,000.00 request to replace and repair the sill on the south end of the house, replace the sub-floor in the kitchen, re-glaze 25 windows, and replace 3000 linear feet of clapboards. Article 8 is for $20,500.00 to install new sheathing over the existing sheathing of the Fiske Barn. The Garrison House Association has funded over half of the project. The CPC Historical Preservation Account has adequate funding available for these projects.

Jennifer Almeida - New Solid Waste & Recycling Bid Specifications
Chairman Jeannotte advised that no vote would occur on this measure this evening. The presentation this evening was an update on research being done to replace the existing contract, which expires June 30, 2010. Ms. Almeida explained current and projected collection costs and tonnages, and she compared recycling rates for 9 area cities and towns. Many surrounding towns have implemented an automated collection program successfully. The proposed program for Chelmsford would issue a 40 gallon container for each household for automated solid waste collection. Multi-family dwellings are allowed a per-unit allocation. Bags can be purchased for additional waste. Recycling would be collected weekly, with no need to sort. Cost projections will remain the same, at approximately 2 million dollars. Grant funding is available for using 40 gallon containers, which will be helpful for the outreach and training part of the program. Bulk items can be collected by contacting the hauler for arrangements. Advantages include a better community appearance, weekly single-stream recycling is more convenient, and residents can schedule free pickup of bulk items. Barrels should last ten years, and are bar-coded by address in case of temporary relocation. The smaller barrel comes with a five year commitment, while a larger barrel carries a ten year commitment. Residents would have the option to purchase an additional barrel at cost, which includes an additional disposal cost. Collection costs will be determined by bid. Weekly recycling may be more expensive, but may increase participation, and ultimately reduce tonnage. Ms. Almeida felt that a 40 gallon barrel was reasonable for most households. Other towns have not experienced an increase in illegal dumping since the inception of automated collection.

Chairman Jeannotte encouraged residents to offer suggestions. Multiple bids can be requested to compare the various options. Mr. Cohen noted a five year commitment at a minimum, and asked to clarify if the results desired are focused on cost, a reduction in tonnage, or an increase in

recycling. Selectman Dahlberg requested more information on long term costs of buying bags versus buying an additional barrel. Chairman Jeannotte looked forward to receiving an update on the meeting of October 26, 2009.

Joseph Shanahan - Continuation Westlands Place LIP Proposal
Chairman Jeannotte explained that the applicant has submitted a letter requesting continuation, as legal access to the parcel is being researched.

Motion: by Selectman Wojtas to approve the request for continuance to November 9, 2009, at 8PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Halls Utilization Study Committee Report
Steve Roberts spoke on behalf of the Committee. Mr. Roberts provided a summary of what has been done to date. On October 1, 2009, a preliminary report was given to seek approval for funding of a cost estimate study from the Community Preservation Committee (CPC). The initial plan for the North Town Hall is to create a Community Center to include an after school program, rental space for community organizations, and family events. Examples of proposed uses were presented for each floor of the building. The Community would benefit, as no such program exists now, financial operating costs would be covered, there are possible tax credit opportunities, and the model has worked for other community centers in other towns. Revenues would be generated through rents and fees for programs. Expenses include a Director, heat, electricity, supplies and maintenance. Recommendations would include creating a 5-7 person advisory board with liaisons from the Permanent Building Committee, Board of Selectmen, School Department and Chelmsford Center for the Arts. Exterior restoration would be done to Secretary of the Interior Standards, installing an electronic entry and monitoring system, and creating a 40 car parking area to include drop-off and handicapped parking spaces. Interior restoration will include installing wiring and plumbing to code, HVAC & lighting, installing an elevator for ADA compliance, upgrading the bathrooms & kitchen, creating collapsible walls and rebuilding other areas.

The proposed use for the Center Town Hall is as an Arts Center. Potential uses include space for performances and art exhibits, rental office space, classroom space, studio space, catering kitchen in the basement, meeting room space, and continued use by the Food Pantry. This building would also require an elevator. Community benefits include complementing Performing Arts Center and Westlands School and Library uses. Strong verbal interest and support has been shown by the community for this use in this building. Revenues would be generated through rents and fees. Expenses would include maintenance, electricity and gas heat. This building would also benefit from an anchor tenant, and a 5-7 person advisory board & liaisons. Exterior renovations include painting, electronic entry and monitoring, and upgrading the fire escapes and parking lot. Interior renovations include bringing the wiring and plumbing up to code, upgrades to the bathrooms and heating system, renovating the kitchen and refinishing various areas to accommodate the proposed uses.

Next steps for the Committee include preparing a "not to exceed" cost estimate for approval at Spring Town Meeting. Mr. Cohen agreed that interim activities at the Center Town Hall are working well to date. CPC could be used as seed money, but the Committee needs to determine how to get the rest, either through fundraising, grants or borrowing. The elevator for the Center Town Hall would replace the existing fire escape, which needs upgrading. Selectman Dixon congratulated the Committee and the citizens for their support and involvement in this process. Selectman Scanlon asked about any prior Community Centers. Fred Merriam explained the

Recreation Department used to run many programs, but due to budget cuts, it was eliminated. Current activities were moved to the Westlands School due to lead paint concerns.

Town Manager Appointments

Bicycle and Pedestrian Advisory Committee
Motion: by Selectman Wojtas to approve the Town Manager's appointment of Shaun Berry, Jennifer Bristol, and Ken VanTassell to the Bicycle & Pedestrian Advisory Committee. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Economic Development Commission
Motion: by Selectman Wojtas to approve the Town Manager's appointment of Janet Askenburg, Tony Delpapa, Michael Kowalyk, Brad Marmo, David Morey, Joseph Ready and Laura Schweizer to the Economic Development Commission, for staggered terms, up to 3 years. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Unscheduled Business

Board Position on Town Meeting Warrant Articles
Article 1, Reports of Town Officers and Committees did not require a recommendation.

Article 2, Transfer of Free Cash into the Stabilization Account; Mr. Cohen explained he is still awaiting DOR certification.

Motion: by Selectman Wojtas to recommend approval of Article 2, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 3 would transfer money from Special Revenue, E-Rate reimbursements, to the School Department

Motion: by Selectman Wojtas to recommend approval of Article 3, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 4 would transfer $10,000.00 to the Community Action Program.

Motion: by Selectman Wojtas to recommend approval of Article 4, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 5 amends the fiscal 2010 operating budget to include $25,000.00 for the special election (reimbursable from the state), $25,000.00 for repair of the High School ceiling, $50,000.00 to replace the McCarthy Middle School's fire curtain, and $361,111.00 to correct an accounting error for excluded debt service.

Motion: by Selectman Wojtas to recommend approval of Article 5, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 6 would provide $30,000.00 from the Chelmsford Forum special Revenue Fund to replace the scoreboard at the Chelmsford Forum.

Motion: by Selectman Wojtas to recommend approval of Article 6, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 7 would fund $25,000.00 from the CPC's Historic Preservation Account for repairs to the Garrison House.

Motion: by Selectman Wojtas to recommend approval of Article 7, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 8 would fund $20,500.00 from the CPC's Historic Preservation Account for replacing the sheathing on the Fiske Barn.

Motion: by Selectman Wojtas to recommend approval of Article 8, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 9 would approve a land swap between the Conservation Commission and the Water District, so that the Water District could comply with the DEP mandate to secure their water tower.

Motion: by Selectman Wojtas to recommend approval of Article 9, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 10 would transfer control of a parcel of School Department land to the Board of Selectmen, to be leased for a period of up to 20 years, for the implementation of a Billboard.

Mr. Cohen explained the Request for Proposal document is in draft form; he hopes to have it ready for presentation for the meeting on October 26, 2009. Any money generated from the proposal would go to the General Fund. Selectman Dixon asked what would happen if only part of the article were to be approved. Mr. Cohen explained that if part of the article fails, the entire article fails.

Motion: by Selectman Wojtas to recommend approval of Article 10, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Article 11 is to authorize the Board of Selectman to enter into a 20 year lease agreement for town owned land by Route 40 for the implementation of a Billboard.

Motion: by Selectman Wojtas to recommend approval of Article 11, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS/Town Manager Goals

Chairman Jeannotte stated that 5 topics were previously discussed and that the Board would now run through each one. Mr. Cohen explained there would not be enough time to do the citizen's survey with the beginning of the census. Chairman Jeannotte agreed this could be delayed or eliminated. Selectmen Dixon & Wojtas felt it acceptable to delay. Mr. Cohen questioned if having a Public Input in November was too close to the holidays. Chairman Jeannotte felt that the trash proposal would require a public input session. The Board agreed that a Public Input Session would be scheduled for November 16, 2009. The Board agreed that dates for achieving the goals could be changed as needed.

Motion: by Selectman Wojtas to approve the Town Manager & Board of Selectmen Goals for 2009, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Selectman Referrals

Selectman Dixon:
Selectman Dixon thanked everyone who supported local establishments on October 1, 2009, when the new local option taxes became effective.

Selectman Dixon would like to send a letter to legislators voicing opposition to the proposed article to allow farmers to sell their own wines and beers at open markets. He believes it will create adverse police and food & drug enforcement issues. Local establishments are already affected by increased taxes. No hearing date has been set at this time, Chairman Jeannotte asked the Board to review information already provided for further discussion.

Selectman Dahlberg
Selectman Dahlberg also wished to thank residents for supporting local businesses on October 1.

Selectman Wojtas
Selectman Wojtas announced that the second round of funding awards has begun for transportation stimulus projects. NMCOG suggested a proposed project for Smith St. & Parkhurst Road. No funding has been granted to this area yet, and four legislators are on board with the project. This project has been in the pipeline for six years. This intersection needs reconfiguring, and sidewalks. Selectman Wojtas asked the Board to act on this tonight.

Motion: by Selectman Wojtas to support her draft letter regarding approval of stimulus funding for the proposed project to reconfigure the intersection of Smith St and Parkhurst Road, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Selectman Wojtas attended a reception in Westford given in honor of Geoff Hall on the occasion of his retirement. Mr. Hall has recently recovered from some medical issues; Selectman Wojtas was pleased to see him, and wishes him well.

Selectman Scanlon
Nothing

Chairman Jeannotte
Chairman Jeannotte attended the East Chelmsford Water District's Open House. She found it informative, and noted they are proud of the work they have accomplished.

Press Questions
Chloe Gotsis of the Chelmsford Independent asked to clarify why the Westlands LLC LIP was continued. Chairman Jeannotte responded that an issue had arisen with the applicant's legal access to the property. Ms. Gotsis asked to clarify the 75% amount received from FEMA for the Ice storm reimbursement, and she was told the amount was $368,925.87. Ms. Gotsis asked what the purpose of Public Input sessions were. Mr. Cohen explained that the sessions provide the public an opportunity to make suggestions.

Executive Session
Motion: by Selectman Wojtas to enter Executive Session, not to return to Regular Session, for the purpose of discussing negotiating strategy for collective bargaining.

Roll Call Vote:
Selectman Dixon: Aye
Selectman Dahlberg: Aye
Chairman Jeannotte: Aye
Selectman Wojtas: Aye
Selectman Scanlon: Aye

Next Regular Meeting: October 26, 2009

Meeting adjourned at 10:10PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
WORK SESSION AGENDA
October 19, 2009

Town Offices
50 Billerica Rd.

6:30 p.m. **Call to Order**

Scheduled Business

- **Town Manager Performance Appraisal**
- **Senate Bill 400**

Unscheduled Business

-

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: October 26, 2009

***** This meeting is televised. *****

Town of Chelmsford
Board of Selectmen Minutes
Chelmsford Senior Center
75 Groton Road
North Chelmsford, MA 01863

APPROVED 1/25/2010

Work Session Meeting MINUTES
October 19, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 6:35PM.

Chairman Jeannotte asked if any Board members could participate in State Representative Cory Atkins' discussion session on the state budget scheduled for October 21st. Selectman Dixon stated that he would attend.

Chairman Jeannotte presented a final version of the Town Manager's evaluation for FY 2009 for the Board's consideration and approval.

Motion by Selectman Wojtas to accept the evaluation of the Town Manager for FY 2009. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Selectman Dixon provided copies of legislation recently filed in the Legislature that would prohibit the unlicensed sale of alcohol at open-air farmers' markets. After some discussion, the Board took no action on this matter.

Selectman Wojtas stated that she would like the Board to consider sending a letter to the town's legislative delegation on three of the five priorities of the Massachusetts Municipal Association: (1.) health insurance plan design; (2.) telecommunications equipment taxes; and (3.) the Quinn bill. She stated that she would draft such a letter for consideration at a future meeting. It was suggested that the other two priorities (charter school reimbursements and pension reform) were less familiar, and more information would be required before taking action on them.

Selectman Dahlberg asked the Town Manager for an update on the matter of a home-run business on Stedman Street. Mr. Cohen stated that the Building Inspector, Scott Hammond, had visited the site and had written the owner a letter informing him that he must either cease operations or apply for a special permit through the Zoning Board of Appeals.

Mr. Cohen stated that the town's recycling coordinator, Jennifer Almeida, is going to provide a presentation at Fall Town Meeting later in the evening on the topic of solid waste disposal. Selectman Dahlberg asked the Town Manager if he knew if other towns that had imposed strict

limitations on solid waste disposal had experienced an increase in illegal dumping. Mr. Cohen responded no. Chairman Jeannotte stated that she's worried about elderly residents' ability to handle the largest tote containers (64 gallons).

Motion by Selectman Wojtas to adjourn. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Meeting adjourned at 7:25 PM.

Respectfully Submitted,

Eric R. Dahlberg
Clerk

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Litigation Update

Name Of Department or Board: Board of Selectmen Executive Session

Date of Meeting: Monday, October 5, 2009 **Time:** 6:00 - 7:00 pm

Location: Town Offices Name of Building Room Number: 2041

50 Billerica Rd Street Address

Elizabeth H. Delaney

Town Clerk's Signature

T. [illegible] 9/23/09

Clerk/Bd. Member & Date

2 Exec. Session

RECEIVED

09 SEP 23 PM 3:54

TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Mon. October 19, 2009 **Time:** 6:30 pm

Location: Senior Center Room Number: _____

Name of Building

75 Linden Road

Street Address

Elizabeth Delmey

Town Clerk's Signature

T. Lewis 9/1/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, October 26, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd.

Street Address

Elizabeth A. Delaney — 9/23/09

Town Clerk's Signature Clerk/Bd. Member & Date

RECEIVED

09 SEP 23 PM 3:54

TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
October 26, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements *Tab 1*

- Lung Cancer Awareness Month
- Chelmsford Rotary Comedy Fundraiser - Oct 30
- Halloween Hours – Sat, Oct 31, 5-8 PM
- Board of Selectmen Public Input Session - Nov 16

Open Session

Committee Vacancies *Tab 2*

Scheduled Business

7:30 p.m. **Richard Venti – US Census Bureau** *Tab 3*

7:40 p.m. **St. Vartanantz Church – One Day Beer & Wine – November 6, 2009** *Tab 4*

7:45 p.m. **Greg Spring – Roadside Vendor License** *Tab 5*

7:50 p.m. **Police Chief Jim Murphy – Red Light Camera Bill** *Tab 6*

Town Manager Reports *Tab 7*

- FY 10 FY 11 Budget Update
- Draft Billboard RFP
- New Solid Waste and Recycling Bid Specifications
- Nashoba Valley Technical School District Composition
- 12 Stedman Street Zoning Issue

Town Manager Appointments *Tab 8*

- Community Action Program Committee
- Historical Commission
- Permanent Building Committee

***** This meeting is televised. *****

Unscheduled Business *Tab 9*

- CHS Spirit Week Bonfire
- Legislative Correspondence
    - Local Options Budget Relief
    - Relief from Unfunded Mandates

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: November 9, 2009

APPROVED 12/21/2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting Minutes
October 26, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:08PM.

Chairman Jeannotte announced that Selectman Scanlon would be absent or late because of a family matter [Selectman Scanlon arrived at 9:25 PM].

Public Service Announcements

Lung Cancer Awareness Month
Selectman Wojtas read the proclamation. Suzanne Dahlberg thanked this Board and the Board of Health for their interest and support. "Shine the Light on Lung Cancer" is a vigil event being held at the Prudential Building in Boston on November 5, 2009. This is a free event, everyone is welcome. She is working on scheduling a Run/Walk event in 2010; more information will be forthcoming as it becomes available.

Chelmsford Rotary Comedy Fundraiser-October 30, 2009
Allen Thomas spoke on behalf of the club. This event will be held at the Chelmsford Lodge of Elks on October 30, 2009, beginning at 7PM. Tickets are $25.00 each, and proceeds go to a variety of community programs. For questions, residents may contact Mr. Thomas at 978-256-8772. More information regarding a concert featuring Syncopation & Beantown on March 19, 2010 will be forthcoming in the future

Halloween Hours-Saturday, October 31, 5-8PM
Chairman Jeannotte announced that hours for trick-or-treating on Halloween will be 5-8PM. She advised motorists be especially aware of pedestrians during those hours.

Nashoba Technical High School Open House
Jeanne Savoie announced that the NVTHS would hold its Open House on Wednesday, November 14, 2009, 6:30-9PM. Interested students can also call 978-692-4711 to schedule an exploratory visit. In addition to their technical curriculum, they offer AP classes and college courses.

Board of Selectmen Public Input Session-November 16, 2009

Chairman Jeannotte announced a public input session will be held on November 16th, 7-9:30PM, at the Senior Center. The Town Manager will provide a budget report and potential impacts on services. A potential topic for input is the solid waste and recycling proposal currently under consideration.

Open Session

Anticipating questions from the public on the issue of a home-based business located at 12 Stedman Street, Selectman Dahlberg asked the Town Manager to provide a status report on this matter. Mr. Cohen advised that a zoning enforcement order has been issued to the property owner at 12 Stedman St. The property owner must appear before the Board of Appeals to request a special permit. Immediate compliance is required under Chapter 195-7A & 7B. The building inspector has confirmed the complaint is accurate. More information will be forthcoming later in the meeting. At present, between 35-40% of the home is being used for business while the bylaw allows up to 25%. This condition cannot be waived by the Board of Appeals and use variances are no longer granted. The current bylaw allows one non-resident employee for a home business, this location currently has two non-resident employees. The order was served today; the company will be visited by the Building Inspector later this week.

Deirdre Connelly, Sunset Ave, researched that Mr. O'Neill filed a corporate form with the Secretary of State in May. She asked if a d/b/a form was also filed. She questioned if the electrical system in the home had been modified to accommodate the testing of medical equipment; if so, this would have to be permitted and inspected as well. If none of these things had been done, these would be further violations.

Ken Skelly, 14 Stedman St., stated there needs to be a balance between businesses and residents. This business is too big for this neighborhood and needs to be moved. The website shows this company has global customers, and the driveway has been painted to allow parking. Installing signs is inappropriate for the neighborhood.

Norm Aubert, 14 Hidden Way feels Mr. O'Brien has shown a complete disregard of zoning regulations. He had concerns about the safety of testing being done at this site. His research indicated the business was started in Lowell in 2004, and no permitting was done there until 2008. Mr. Aubert believes Mr. O'Brien's son is not a resident. He feels Mr. O'Brien knew he was in violation of the bylaw. He knew he wasn't allowed to hire more employees, and did anyway. Mr. Aubert feels the business should be shut down immediately, as Mr. O'Brien has not been forthcoming in Lowell or Chelmsford. Chairman Jeannotte advised that abutters would be notified when the case goes before the Board of Appeals.

Roy Early, 184 Chelmsford St. thanked the Westlands residents for making the Town aware of this situation.

Doug Neeble, 11 Stedman St. thanked Mr. Cohen for following up on this situation, as many concerned neighbors are present tonight. Chairman Jeannotte advised procedures are in place to remedy the situation, and monitoring by the neighborhood and Mr. Cohen would continue.

Committee Vacancies

Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office.

Scheduled Business

Richard Venti - US Census Bureau
Mr. Venti explained that the purpose of the Census Bureau has grown over the years, and today, $400 billion in funding relies on obtaining an accurate census. Forms will be sent to residents in March 2010, to be returned by April, 2010. The forms will be in 6 languages. Mr. Venti stressed that people should not be afraid to return the census form, as your privacy is guaranteed, and severe penalties are in place for violations. The purpose of the census is to see who is here, not why. Only twice in history has a President requested census info-after Pearl Harbor and after the September 11, 2001 terrorist attacks, and both requests were denied. Information is not released for 72 years. Mr. Venti left written information for anyone interested in learning more about the Census.

St. Vartanantz Church-One Day Beer & wine-November 6, 2009
Mr. Nazarian was present for questions. The Board had no questions.

Motion: by Selectman Wojtas to approve a one day Beer and Wine License to Sts. Vartanantz Church for a wine tasting event on November 6, 2009 for the hours of 6PM to 10PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Greg Spring-Roadside Vendors License
Mr. Spring was present for questions regarding his selling of Christmas Trees and wreaths at Sully's Ice Cream, as he did last year.

Motion: by Selectman Wojtas to approve a Roadside Vendor's License to Gregory Spring, to be exercised on the premises at 55 Graniteville Rd, from December 1 to Decmber 24, 2009, for the hours of 9:00AM to 9:00PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Police Chief Jim Murphy-Red Light Camera Bill
Chief Murphy was before the previous Board 18 months ago to explain about this program, which captures photos of the rear license plate of operators that have run a red light. A ticket is mailed to the registered owner, in the same way that a parking violation is handled currently. Like a parking ticket, no surcharge will be added to your driving record. Over 200 communities have started using these systems since the 1990's. The results tend to indicate increased safety at bad locations. Potential locations for the camera include Drum Hill and the intersection of Chelmsford and Stedman Sts, and the intersection of Golden Cove and Billerica Rd. A Request For Proposal is sent to vendors, who generally supply and install the equipment at no cost. The vendor would take a share of the paid violations. Privacy issues are addressed, as you cannot see the driver in the photo. Turnpikes, stores and banks use similar technology now. Experience in other locations shows that once drivers realize the camera is in effect, they modify their behavior. Areas show high violation rates at first, which decrease over time. Exceptions to the violations would include funeral processions, yielding to emergency vehicles, or if a vehicle has been reported stolen. Selectman Dahlberg noted some communities reporting an increase in rear-end collisions. Chief Murphy noted that he had seen this information, but that such accidents are less severe than being broadsided. Implementation of the program is a local option, and would require Town Meeting approval. In instances where a registered owner loans out their vehicle, the tickets will indicate what time the violation occurred, so the owner should reasonably be able to figure out who was using their car at the time. Chairman Jeannotte requested feedback from

the Board on a draft letter from the Board to the State delegation and the Transportation Commission.

Motion: by Selectman Wojtas to support the draft letter regarding the red light camera legislation currently under consideration in the Massachusetts Legislature. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Chief Murphy also asked residents to be careful on Halloween, especially between 5-8PM, when trick-or-treaters would be out.

Town Manager Reports

FY 10-FY11 Budget Update
Mr. Cohen advised that in addition to decreased revenues collected, and increased unbudgeted spending, Medicaid, free legal representation expenses and an increase of emergency assistance shelter spending at the state level, the State was looking at a 600 million dollar shortfall already. Legislators have met with the Governor, who should be announcing a plan on Thursday or Friday. Layoffs are already starting at the executive level. At this time, the State is under court order to provide educational funding. Department heads will be notified as more information becomes available. Increasing fixed costs at the State level make 2011 projections even more severe. Chairman Jeannotte and Selectman Dixon attended a meeting with Cory Atkins, who is actively researching fundraising ideas, as the current state budget is not sustainable without capital gains increases. The State is not considering gaming, as Foxwoods Casino is close to bankruptcy. Chairman Jeannotte would like to receive community input on service priorities, as Mr. Cohen noted changes are occurring even after state budgets are approved. Selectman Dahlberg noted that the State may have no choice but to allow health insurance options. Mr. Cohen explained the Town is ready for this, options have been researched, and current plans could be switched in 3-4 months.

Draft Billboard RFP
Mr. Cohen provided the draft document for Billboard Bid Specifications. Terms are for 20 years, and each location is bid separately. Mr. Cohen hopes to implement this by November. There is no allowance for cell towers or digital billboards at this time. The bidder would be responsible for obtaining permit approvals. A list of prohibited advertising standards was provided; Town Counsel is still reviewing and commenting on the draft. Selectman Dahlberg noted he's seeing billboards in other areas going blank. Mr. Cohen stated if no bids are received, there would be no billboard.

New Solid Waste and Recycling Bid Specifications
Mr. Cohen provided modeled data on collection costs of solid waste and recycling, the purchase of automated solid waste containers, solid waste tipping tonnage, and estimated FY11 Total costs. There is a majority support for a 64 gallon container, minority support for a smaller container, support for weekly recycling pickup, and no evidence of illegal dumping in neighboring communities or bad experience with the 64 gallon container. The model assumes that people will fill the larger container because the capacity is there, and no reduction in tonnage would result with weekly recycling pickup. Weekly recycling would come with an increased cost of $115,000.00. Mr. Cohen gave examples of how fees were handled in neighboring communities. Mr. Cohen asked the Board to consider what the town goal is concerning cost, going "green", or community appearance, as some options have a 5 or 10 year commitment.

The town will need a 6 month lead time to set up the automated system.

Nashoba Valley Technical School District Composition
Mr. Cohen explained that this area is reviewed every ten years. The number of representatives for Chelmsford will remain the same at 3.

12 Stedman St. - Zoning Issue
Mr. Cohen gave a presentation to provide better understanding of the bylaw and enforcement process. Applicable sections of Chapter 195-7 of the Zoning bylaw were shown, as was a timeline in response to the complaint from October 15-19, showing what actions were taken by the Town Manager and the Building Inspector. Mr. Cohen explained why the Inspector acted the way he did, and he provided a list of additional zoning enforcement actions to be completed. Mr. Cohen thanked the neighbors for their patience, and that the case would be weighed on its merits. Mr. Cohen agreed that it was unfair to shut the business down immediately, when the owner has been very cooperative. The business has no heavy equipment, loud noise, dumpsters or chemicals. Enforcement actions may change as more information becomes available. Selectman Dixon agreed that due process was served in this situation, and the problem will be resolved in a manner fair to all parties. Selectman Dahlberg felt it would be important for residents to know what would happen next. Selectman Wojtas felt the situation was handled correctly and quickly, and it is always good to wait for the facts.

Other Reports
The annual tax classification hearing is being delayed due to re-evaluation and less staff at the local and State level. This hearing will probably start by the second meeting in November.

Mr. Cohen received notification at 5:30PM today that neither project recommended by NMCOG was approved for the latest round of stimulus funding. Chelmsford's project involved re-structuring the intersection of Parkhurst Rd. and Smith St. The other project in NMCOG's area was on Livingston St. in Tewksbury.

Mr. Cohen will be meeting with representatives of National Grid and Verizon regarding the installation of underground utilities. The design work has been finished; construction should be started in April, 2010. Mr. Cohen anticipates a request from the utility companies to allow night work to expedite the project. The project should take 18 months to complete, some road work will take several months. The Home Rule Petition is still being negotiated with help from Tom Golden's office. The Town's goal is to get the surcharges stopped. Collected funds are being kept in an escrow account.

Mr. Cohen mentioned that he would soon be seeking the Board's approval of his appointments for the Open Space and Recreation Committee.

Town Manager Appointments

Community Action Program Committee
Motion: by Selectman Wojtas to approve the Town Manager's appointment of Alan M. Hamwey to the Community Action Program Committee for a term to expire June 30, 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Historical Commission
Motion: by Selectman Wojtas to approve the Town Manager's appointment of Laura Lee to the Historical Commission, for a term to expire on June 30, 2011. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Permanent Building Committee
Motion: by Selectman Wojtas to approve the Town Manager's appointment of Steve Roberts to the Permanent Building Committee, for a term to expire on June 30, 2011. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Unscheduled Business

CHS Spirit Week Bonfire
Mr. Cohen explained that the Board must approve this annual bonfire as a condition of Fire Department approval. The Fire Department is on site to manage the fire.

Motion: by Selectman Wojtas to approve the approve the Chelmsford High School Athletic Department's request to hold their annual bonfire for Spirit Week as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous

Legislative Correspondence

Local Options Budget Relief
The Board was asked to approve a legislative correspondence drafted by Selectman Wojtas to request allowing towns to implement changes in health insurance plan design, allow taxation of telecommunications equipment, and to allow relief from funding the state's portion of the Quinn Bill.

Motion: by Selectman Wojtas to approve the draft letter and allow Selectman Wojtas to forward the letter to the State delegation. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Relief from Unfunded Mandates
Cory Atkins has requested towns prepare a list of potential relief items they would like considered. The School Department has prepared their list. Board members were asked to send their ideas to Mr. Cohen by next week.

Selectman Referrals:

Selectman Scanlon:
No referrals.

Selectman Wojtas:
Selectman Wojtas has been chosen to participate in a selection committee to review bids for the Regional 911 project being done by NMCOG. A bidders' conference occurred today, bids are due in mid-November. She will provide updated information as it becomes available.

Selectman Dahlberg:
No referrals.

Selectman Dixon:
No referrals.

Chairman Jeannotte:
No referrals.

Press Questions
Rita Savard of the Lowell Sun requested clarification on the enforcement order issued for 12 Stedman St., Chelmsford. According to a Westlands Watchdog e-mail, Mr. O'Brien stated he was unaware of the bylaw, whereas he told Ms. Savard he was aware of the bylaw. Mr. Cohen explained that a cease & desist order was issued today in a written enforcement order.

Executive Session
Motion: by Selectman Wojtas to enter Executive Session, not to return to Regular Session, for the purpose of discussing the status of litigation and negotiating strategy for collective bargaining.

Roll Call Vote:
Selectman Dixon: Aye
Selectman Dahlberg: Aye
Chairman Jeannotte: Aye
Selectman Wojtas: Aye
Selectman Scanlon: Aye

Next Regular Meeting: November 9, 2009

Meeting adjourned at 9:42PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
November 9, 2009

Town Offices
50 Billerica Rd.

7:00 p.m.	Call to Order
	Public Service Announcements • Veteran's Day Events • Town Hall Benefit Concert
	Open Session
	Committee Vacancies
	Scheduled Business
7:30 p.m.	Café Madrid – Additional Seating
7:35 p.m.	St. John's - One Day Beer & Wine License, Nov. 14
7: 37 p.m.	CCA, Center for the Arts – One Day Beer & Wine License, Nov. 14
7:40 p.m.	Center Brickhouse Pizza – Increased Capacity & Extension of Hours, November 25
7:45 p.m.	Jim Pearson – Parkhurst Road Easement
7:50 p.m.	Westland's Place – Continued to December 7
8:00 p.m.	Tax Classification Hearing –Continued to November 23 Frank Reen – Tax Classification Assessment Policies & Methods
8:05 p.m.	Brother's Pizza – Change of Ownership
8:10 p.m.	Center Congregational Church – Roadside Vendor License
8:15 p.m.	Philip Stanway – Naming of the new garden at Sunny Meadows
	Town Manager Bid Award • McCarthy School Fire Curtain
	Town Manager Reports • Billboard RFP Second Draft • FY 2011 Capital Plan Submission

*** This meeting is televised. ***

Town Manager Appointments

- Ethics Commission Liaison

BOS Meeting Minutes

- BOS Executive Session – August 24, 2009
- BOS Work Session Minutes - August 31, 2009
- BOS Regular Meeting Minutes – September 14, 2009
- BOS Executive Session Minutes – September 14, 2009
- BOS Regular Meeting Minutes – September 28, 2009
- BOS Executive Session – September 28, 2009

Unscheduled Business

- Preservation Restriction – 66 Graniteville Road

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: November 23, 2009

APPROVED 12/21/2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting Minutes
November 9, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:04PM.

Public Service Announcements

Veteran's Day Events/Proclamation
The Proclamation for Veteran's Day was read by Selectman Wojtas and accepted by Regina Jackson. Ms. Jackson announced there would be a Remembrance service at 11AM at the Veteran's Memorial Park on November 11, 2009. A Purple Heart is being awarded for Steven Kinney at 12:30PM, at the American Legion Post on Groton Rd. A new stone will be dedicated at the Veteran's Memorial Park on November 14, 2009 at noon. Everyone is welcome to attend all events.

Town Halls Benefit Concert
Paul Harrington, 30 Ripley St, reminded the public that local artists are donating their talent to perform a concert to benefit the Town Halls on November 21, 2009 at 7PM at the Performing Arts Center. Tickets are still available.

BOS Public Input Session
Chairman Jeannotte announced there will be a Public Input session held at the Chelmsford Senior Center on November 16, 2009, at 7PM.

H1N1 Clinic
Chairman Jeannotte announced there will be H1N1 Flu clinic held at the Board of Health office on November 19th, 9:30AM-3:30PM. The clinic is limited to Chelmsford residents that are pregnant women, parents and siblings of infants under 6 months old, and household contacts of pregnant women in their third trimester. Interested people must call 978-250-5241 to pre-register.

Holiday Prelude
Chairman Jeannotte announced this event would occur on December 6, 2009, more details would be coming at the next BOS meeting.

Open Session

No one came forward at this time.

Committee Vacancies
Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office.

BOS Meeting Minutes

BOS Executive Session Meeting Minutes August 24, 2009
Motion: by Selectman Wojtas to approve and release the Executive Session meeting minutes of August 24, 2009 as presented. Seconded by Selectman Dahlberg. Selectman Scanlon abstained, all others in favor. Motion carries.

BOS Work Session Meeting Minutes August 31, 2009
Motion: by Selectman Wojtas to approve the Work Session meeting minutes of August 31, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes September 14, 2009
Motion: by Selectman Wojtas to approve the regular meeting minutes of September 14, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Executive Session Meeting Minutes September 14, 2009
Motion: by Selectman Wojtas to approve and hold the Executive Session meeting minutes of September 14, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes September 28, 2009
Motion: by Selectman Wojtas to approve the Regular Meeting minutes of September 28, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Executive Session Meeting Minutes September 28, 2009
Motion: by Selectman Wojtas to approve and release the Executive Session Meeting minutes of September 28, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Unscheduled Business

Preservation Restriction: 66 Graniteville Rd.
Mr. Cohen announced that the Chelmsford Historical Commission, Mass. Historic Commission, Town Counsel and the applicants' representative have all signed off on the Preservation Restriction on the barn at 66 Graniteville Rd. Chairman Jeannotte thought part of the exhibits provided were missing, Mr. Cohen believed that all applicable signatures were attached to the original document.

Motion: by Selectman Wojtas to accept the Preservation Restriction for the barn at 66 Graniteville Rd., upon verification that all exhibits and signatures are attached to the original document. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Appointments

Ethics Commission Liaison

Motion: by Selectman Wojtas to approve the Town Manager's appointment of Jeanne Parziale as the liaison to the State Ethics Commission. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Bid Award

McCarthy Middle School Fire Curtain
Mr. Cohen explained the recommended bid includes tie in with the fire alarm and asbestos removal. The old curtain was 40 years old, the new one is expected to last 20-25 years, and will comply with the Fire Code.

Motion: by Selectman Wojtas to approve the Town Manager's Bid Award for the McCarthy Middle School fire Curtain to Major Theatre Equipment Co., in the amount of $29,925.00, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Scheduled Business

Café Madrid-Additional Seating
Attorney Angelique Eliopoulos spoke for the applicants to request an extension of the original 45 day temporary additional seating approval, which is due to expire on November 11, 2009. The applicant is requesting a 30 day extension, pending permanent site plan modification approval from the Planning Board. A signed license agreement is on file for 10 parking spaces from the Radisson Hotel, and 6 spaces from Ryan Development. The next Planning Board meeting is December 9, and the next BOS meeting is on November 21. The Board would be voting on the 6 spaces tonight. Mr. Cohen reminded the Board that license renewals would be voted on December 7, 2009.

Motion: by Selectman Wojtas to approve the extension of the 45 day approval of temporary seating for Café Madrid until December 31, 2009, contingent upon approval of property owner. Seconded by Selectman Dahlberg. Motion carries, unanimous.

St. John's-One Day Beer & Wine License, November 14, 2009
This application has been withdrawn without prejudice.

CCA, Center for the Arts-One Day Beer & Wine License, November 14, 2009
Donald Van Dyne, 29 Brentwood Rd. spoke for William Brandon, who could not be present for this meeting. Mr. Van Dyne requested the approval be contingent upon the completion of the application, payment of fees and confirmation of TIPS certification. A server has not been chosen yet. Mr. Van Dyne asked if the $50.00 fee could be waived. Mr. Cohen advised he did not support waiving the fee for a private party. Chairman Jeannotte concurred with Mr. Cohen.

Motion: by Selectman Wojtas to approve a One Day Beer & Wine License to William Brandon to be executed on the premises of Old Town Hall on November 14, 2009 from 6PM to 12AM, contingent upon completion of the application, payment of the fee and verification of the TIPS certification. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Center Brickhouse Pizza-Increased Capacity & Extension of Hours, November 25, 2009
Attorney Angelique Eliopoulos spoke on behalf of the applicant. This request is being made for a one time evening event on November 25, 2009. A heated tent would be erected at the back of the restaurant, which could occupy up to 70 people, in addition to the 74 inside seats already

permitted. They are requesting their hours be extended to 2AM for this evening only. Two police officers would be on duty for traffic and parking. They will utilize parking from businesses that are usually closed in the evenings, and behind the Old Town Hall, Sovereign Bank and Domino's Pizza, with no parking in the fire lanes or along the bike path. Noise will be kept at a respectable level; there will not be a band, just music, and police will be there to monitor. The bar will be draft only, the tent will have minimal seating, and access to the tent will be through the restaurant only. The applicant has requested permits from the Building Inspector and the Fire Department, and will comply with the Fire Department's recommendations. Selectman Wojtas felt the business has been in this location for two months, which is too soon to hold an event this large. Selectman Dixon felt the applicant has run successful operations in the past, and he has been safety conscious. Selectman Scanlon felt if police were present, and the Fire Department supports the event as presented; there should not be a problem. Selectman Dahlberg stated that he had no concerns. Mr. Cohen noted that Chief Murphy raised no concerns.

Motion: by Selectman Dahlberg to support the extension of hours by one hour to 2AM for Center Brickhouse Pizza on November 25, 2009, and to allow for increased capacity by 70 persons contingent upon receiving permits from the Building Inspector and Fire Department, as presented. Seconded by Selectman Scanlon. Motion carries by a vote of 4-1, with Selectman Wojtas opposed.

Jim Pearson-Parkhurst Rd. Easements
Mr. Pearson asked for a vote of the Board to acquire the necessary easements for Parkhurst Rd. so the road can be widened and sidewalks installed. A Public Hearing was held in December 2007, and Town Meeting previously approved 29 easements, of which 22 were temporary easements, 5 were permanent easements and 2 were drainage easements. This project will be sent out to bid in February 2010. Mr. Pearson will be going before the Conservation Commission on December 1, 2009. Some projects are still being funded through the Federal Stimulus Program; this one has not been granted funding yet. The approximate cost of the project is $1.7 million.

Motion: by Selectman Wojtas to approve the Order of Taking for the 29 permanent and temporary roadway easements as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Brad Emerson, 34 Boston Rd. came forward to state that he was aware the matter of Brickhouse Pizza had been approved, and he wished to say he was opposed to the event being held. Chairman Jeannotte explained that this was not a hearing, but a one-day license request. Mr. Cohen advised that all abutters were notified regarding this event.

Westland's Place-Continued to December 7, 2009
The applicant is working on issues regarding his representation. Additional information will be forthcoming.

Motion: by Selectman Wojtas to continue this hearing until December 7, 2009 at 8PM, as requested. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Tax Classification Hearing-Continuation of Public Hearing

Frank Reen-Tax Classification Assessment Policies and Methods
Legal Ad was read.

Motion: by Selectman Wojtas to open the Public Hearing. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Preliminary information was provided by Mr. Reen regarding review areas in assessments, evaluation requirements, methods, application and use, exemptions, abatements and compliance. Parameters were provided for when a split tax rate could be considered, and how the Minimum Residential Factor was determined. Impacts of several potential tax splits were provided for the Board's review. Mr. Reen met with Jeff Hardy to discuss increased return of Income and Expense forms from commercial taxpayers. This hearing will be continued pending DOR approval of submitted rates, at which time a more detailed presentation will be provided. Selectman Dahlberg requested data on historic response rated for the I&E forms. Chairman Jeannotte informed residents the DOR tax rate database goes back to the 1980's. She will research the information, and interested residents can forward their questions to Mr. Reen's office.

Audience Comments:

Marianne Paresky, 10 Smith St. advised she is in favor of classification, and she asked how classification affects land values. Mr. Reen explained the formula used by the DOR, which is based on land sales, size and location. There have not been many land sales in recent years. More information on assessments is available in his office.

Motion: by Selectman Wojtas to continue this hearing until November 23, 2009. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Brother's Pizza, Change of Ownership
Morcos Henes was present to request approval of a common victualers license as the new owner of Brother's Pizza. There is no change in occupancy or hours, seating will remain at 41.

Motion: by Selectman Wojtas to approve a Common Victualers License for Brothers Pizza, 55 Summer St., for the hours of 10AM-10PM on Monday-Thursday, 10AM-11PM on Saturday, closed on Sunday and to include seating for 41 persons. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Center Congregational Church-Roadside Vendor License
Dick Pappenfuss was present for questions; he has been in business at this location for 26 years, selling Christmas Trees and Wreaths.

Motion: by Selectman Wojtas to approve the Roadside Vendor License to the Central congregational Church to be exercised on the premises at 1 Worthen St., from November 28, 2009 to December 24, 2009 for the hours of 10AM-9PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Phil Stanway-Naming of the new garden at Sunny Meadow Farm
Mr. Stanway announced that the Community Garden at Sunny Meadow Farm was a tremendous success. Plans are underway to create a handicapped accessible garden in the former trough, which will hold 12 plots. The new garden will be name in honor of Richard St. Onge, a Westford Firefighter who died while assisting in fighting a fire at this location in 1970. David Christina of the Westford Fire Department was present, and agreed this would be a great honor for their department and Mr. St. Onge's family.

Motion: by Selectman Wojtas to endorse the dedication of the Richard St. Onge Accessible Garden at Sunny Meadow Farm. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Mr. Stanway also reminded residents that the Day Before Thanksgiving Walk will begin at 2PM on November 25, 2009 at the Janet Rd. entrance. He is looking for volunteers to decorate the trees for the Winter Tree Scavenger Hunt. A 10-year old resident raised $140.00 to purchase 2 geocaching units, which will be held at the Library. The Library has purchased a third unit. Mr. Stanway is actively recruiting Stewards, for anyone interested in volunteering to work on maintaining town owned parcels throughout the Town. Chairman Jeannotte thanked Mr. Stanway for the Stewards' efforts and assistance.

Town Manage Report

Billboard RFP Second Draft
Mr. Cohen provided a second draft of the Request for Proposals and lease agreement for Billboards. Sal Lupoli is reviewing the documents, and will provide comments as someone who is familiar with these documents. The Town has the option of keeping the billboard structure after the lease is over, and the Town has the right to demand removal of questionable content within 24 hours. Lease payments, permits and utilities are handled by the applicant. Chairman Jeannotte advised her comments are pending. Mr. Cohen would like to starting requesting bids at the beginning of 2010.

FY 2011 Capital Plan Submission
The Permanent Building Committee is completing their comprehensive capital assessment report, hopefully by December. The process has been delayed by loss of members, and recruitment of new members. They will be addressing the needs of the DPW and the Center Fire Station, and completing an inventory of town owned buildings and parcels; while the Town Halls Utilization Committee continues to work on the plans for the two Town Halls.

Other Reports
Mr. Cohen is still working on compiling input for the Municipal Relief draft document.

More information will be forthcoming on a meeting with the Board of Selectmen, Finance Committee and the School Department, currently scheduled for December 14, 2009.

Traffic Improvements for Kate's Corner are being finalized. Sierra Drive is also pending similar improvements.

Selectman Referrals

Selectman Scanlon:
Selectman Scanlon advised he has forwarded information regarding the Permanent Building Committee to the Board for review.

Selectman Scanlon will be attending the Economic Development meeting on November 10, 2009. Chairman Jeannotte announced that Selectman Scanlon be the liaison for the Board to this group.

Selectman Wojtas:
No referrals

Selectman Dahlberg:
Selectman Dahlberg wished to thank Old School Roofing for donating their time, materials and expertise for replacing the roof on the Varney Boathouse, and to other volunteers that helped.

Selectman Dahlberg will attend the monthly Municipal Advisory meeting with Cory Atkins this Friday.

Selectman Dahlberg asked Mr. Cohen for an update regarding the 12 Stedman St. zoning issue. Mr. Cohen advised that the property owner is filing for a special permit on November 10, 2009. The building inspector did a second visit to the home, and saw that the sign has been removed, there was only one car in the driveway, and no further issues have been brought to his attention.

Selectman Dixon:
Selectman Dixon wished to congratulate and thank all veterans, and to get out and show their support on November 11th at Veteran's Park.

Chairman Jeannotte:
Chairman Jeannotte advised announcements were coming in regard to pension reform, health insurance and the Quinn Bill from the MMA at their Labor Policy meeting.

A resident at 29 Chamberlain Rd. is awaiting a response regarding a zoning issue. Mr. Cohen agreed to look into it.

Chairman Jeannotte attended an outdoor learning presentation at Byam School which showcased recent improvements done to their courtyard.

Selectman Wojtas attended the 20th Anniversary celebration of the Chelmsford Senior Center, which was very well done.

Press Questions
None at this time.

Executive Session
Not needed this evening.

Next Regular Meeting: November 23, 2009

Meeting adjourned at 9:10PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

APPROVED 12/21/2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd.,
Chelmsford, MA 01824

Public Input Session Minutes
November 16, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr., Selectman
Sean Scanlon, Selectman, arrived 9:25PM

Paul Cohen, Town Manager

Chairman Jeannotte called the session to order at 7:02PM.

Regular Business

1 Day Beer/Wine License-Café Madrid
Motion: by Selectman Wojtas to approve a One Day Beer & Wine License for Café Madrid For November 21, 2009 from 5-10PM for up to 34 people. Seconded by Selectman Dahlberg. Motion passes, unanimous.

Input Session
Selectman Jeannotte thanked attendees for coming to this Public Input Session. The Board tries to have several of these per year. Residents with more immediate concerns are welcome to send an e-mail to a Board member, or attend a regular meeting to speak at Open Session. The session would start with a report from the Town Manager regarding current events, budget issues, and structuring a proposal for the solid waste/recycling contract. The session would turn to other input after that.

Mr. Cohen explained the last three years have been challenging due to increased reductions from the Commonwealth. Residents are paying on average 3% more per year in property taxes, state aid has been level funded, and local receipts are decreasing. The Governor's report indicated further reductions may be coming, meaning more burden will fall on residents. This has been a depressed year for motor vehicle excise tax. The Cash for clunkers Program temporarily accelerated purchases that were in most cases being planned anyway. Permits and Hotel taxes are down. A review of the past three year budget changes reveal an increase in Benefits and Ins by 15.18%, and increase in school spending by 2.70%, an increase to Nashoba Valley Technical High School by 15.77%, and an increase in all other town departments by 1.55%. All departments across the board are operating on less than they were three years ago. Public Safety has decreased 3.28% in personnel, DPW has faced increased snow/ice costs and lower personnel, Debt Interest

and community services have decreased, schools have decreased personnel by 2.7%, and all other departments have decreased by 1.7%. Over the last five years, schools have 83 less employees; all other departments have 23 less employees, for a total 10% reduction. The State ranking for Chelmsford in the overall average single family property tax bill increased as well.

The Solid Waste/Recycling contract will expire in June, 2010. Surrounding towns have switched to an automated pickup system, which would require the purchase of barrels. Current disposal costs per household are about $161.00. Barrel sizes under consideration include 64, 48, and 40 gallon sizes. Conventional collection utilizes 32 gallon barrels. Weekly versus bi-weekly recycling pick-up is also being looked at. Different facilities would be used for recycling pickup and solid waste pickup. Results in other towns indicate that smaller containers create lower disposal costs.

Other topics for input tonight can include opinions on the Bruce Freeman Rail Trail, Red Light Cameras, the Green Community Designation, Town Halls Use, Zoning Enforcement, Tax Classification, Establishment of a Dog Park, Community Gardens, the Farmers' Market, or any other appropriate suggestion that residents can think of. Chairman Jeannotte explained the ground rules for the evening.

Public Input

John Edward, Proctor Rd., spoke in opposition to the taxing of mobile homes in Chelmsford. He felt the Board should be looking out for those least able to afford this additional burden, and that this is the only town in the state applying this tax. He believes the Town will not win this in court. Chairman Jeannotte explained the Board could not speak on the merits of the case while it is being handled by the Appellate Tax Board. Mr. Edward wished for the Board to voice its position. Mr. Cohen explained property assessments are not under the jurisdiction of the Board of Selectmen. All assessments are reviewed by the state, and the town has been advised by the state that all property must be assessed at 100% of its fair market value. Mr. Cohen would like to provide tax relief for all residents, but at present there are credits available for circuit breaker, abatements, and veterans, blind or elderly persons.

Richard Codling, 26 Worthen St. explained that his home is the one with the very large Santa displayed, and he is livid over the Gift Room situation at the Byam School. He is okay with automated pickup for trash, he does not agree with the Red Light cameras, and he asked to save Santa Claus!

Jim Heck, 122 Robin Hill Rd. has concerns about the inflexibility of an automated trash system to pick up odd shaped items such as a mop. The bags that are available for purchase are not as strong as a 3mil. trash bag. The new system costs the same as the current system, and the reduction in number of barrels is insufficient for most households. The best way to reduce tonnage is through education. Mr. Heck feels there is no benefit from single stream recycling, bi-weekly pickup is sufficient. Just because adjacent communities are doing something is no reason to change Chelmsford's system.

Tom Fall, 225 Littleton Rd. asked if the Town is wasting their money on legal fees regarding the trailer park litigation case. He questioned whether this is a battle worth fighting.

Linda Fall, Precinct 7 asked for a status of the Aggregate Asphalt plant. Chairman Jeannotte explained that she and Selectman Wojtas have met with the company to follow up on several issues. GPS systems have been installed in their vehicles to track speed. Mr. Cohen explained emissions are controlled by the state; the company does use a lot of recycled materials, and that may explain the piles of debris that Mrs. Fall is seeing. The Town has received no complaints from DEP, and the Board of Health has raised no concerns. Mrs. Fall asked the town to continue to monitor the company.

Susan Gates, 7 Trotting Rd. thanked Mr. Cohen for his support of the Chelmsford Center for the Arts. The Prelude Celebration on December 6 is being planned. As a member of the prior solid waste committee, she stands by the 2-can limit on trash and bi-weekly recycling. Mr. Cohen pointed out that 2-32 gallon containers would equal one 64 gallon container. Chairman Jeannotte advised the Board is still finishing data collection before sending the contract out for bid.

Paul Gillis, 1 Smith St requested the Town replace the "Entering Chelmsford" sign on Stedman St. Mr. Cohen explained the State has refused their request to furnish a new sign because this is not a numbered route, but he will continue working with the DPW to design a new sign.

Joann Anderson, 6 Evergreen St. asked if Chelmsford could save money by shutting off certain street lights, as was done in Tyngsboro. Mr. Cohen explained these lights are not metered; the Town pays a flat rate based on inventory, whether they are on or not. The resulting safety hazards would not make this a worthwhile proposition at this time. The Town still has 5 years left to pay for the lights, at which time he will research maintenance and operation options for the expiring contract. Ms. Anderson felt a 40 gallon container would be too small, and even though she recycles all she can, one barrel would be difficult. She preferred a 48 gallon barrel, or a 2 barrel limit with single stream recycling. A majority of people would want leaf pickup.

Tim McIlvenna stated he is an avid recycler, and a 40 gallon barrel would be too small. Most families would need 2 40-gallon barrels. The Rail Trail is fantastic; he would support a dog park if it was done at no cost to the Town.

Tom Christiano, Precinct 9, thanked the Board for provided this public input opportunity. He agreed the Red Light camera program was a good idea, especially after seeing cars running red lights at the intersection with the police chief and a camera crew present. He is very satisfied with the Rail Trail, and requested that it be swept to remove the leaves in the spring.

Verton Lenfest, 20 Stone Hill Rd. disagreed with the Byam School policy on their gift room and with the Red Light Camera proposal. He feels the cameras will increase the

number of accidents at the intersections they are used on. Mr. Cohen explained the program has been used successfully in 25 other states. Mr. Lenfest felt his cost to connect to the sewer system was disproportionate to others who were able to connect sooner. His costs will be about $7,000.00, where others have only paid $1,000.00. Where this is a town wide project, all residents should have had to pay the same betterment fees. Mr. Cohen explained the fees were based on when the project was done, and the density and difficulty of getting the project done.

Maryellen Heider, 29 Chamberlain Rd. voiced her disappointment that out of 18 committee members that she sent a letter to regarding her zoning issue on her property, the only ones who responded were the Board of Health and Mr. Cohen. Mr. Cohen was not even on the distribution list. She is happy that Mr. Cohen is willing to meet with her. She requested that the Bike path be changed in Chelmsford Center, as traffic backs up on Littleton Rd.

George Ripsom, 33 Porter Rd. asked how bulk items would be picked up under an automated trash system. Mr. Cohen explained that residents would the recycling office to schedule a pickup for these items. Mr. Ripson requested information on the number of accidents at traffic lights and which traffic lights would get the cameras.

George Merrill, 108 Dunstable Rd. asked that the purview of the Agricultural Committee be expanded to include forestry. The wooded lots throughout town are not being managed, and may create a small income stream by being logged, and would pay for itself. He felt the area around Wotton St. used to be agricultural land and is going to brush. This area should be returned to agricultural use, and would not be appropriate for a dog park.

Walter Cleven, 4 Arbutus Ave. asked how the reimbursement from the state on the schools projects would impact the Town. Mr. Cohen explained that money was borrowed to complete the projects, the reimbursement was going to pay off these loans and reduce the exempt debt; not free up budget capacity.

Rick Mahoney, 64 Prescott Dr. advised that he lives in a condominium complex, and a 64 gallon barrel would be too large. He supports the red light cameras, as he has gotten into the habit of stopping when lights turn green, as so many people run the red light. He feels documented guidelines need to be set up for the schools as a group, not by individual schools. Mr. Mahoney asked about the Billboard proposal. Chairman Jeannotte advised bylaw documents are still being drafted, but that all state regulations would be complied with.

Joseph Heider, 29 Chamberlain Rd. explained he has donated equipment to the Byam School to help the PTO, although he has had issues with Mrs. Gilmore. He would like the town to consider changing how the lights cycle in Chelmsford Center, as traffic needs more time to clear the intersection, and it is difficult for trailers to navigate. Mr. Cohen advised that the DPW is reconfiguring the intersection when the utility work is being

done in that area. Mr. Heider feels people don't understand how the lanes work on the Drum Hill square, either.

Steve Flynn, 13 Dayton St. wished to advise that there is a 40% betterment discount available for people hooking up to the sewer system. Information is available on the mass.gov website. A septic credit is also available when one files their state taxes. Mr. Flynn feels a 40 gallon barrel is too small; he always has 2 barrels now. Bi-weekly recycling is fine. Mr. Cohen will discuss having the Sewer Commission put more information on their website regarding the septic credits.

Bill Goodhue, 16 Sycamore St. felt one size would not fit all in regard to the trash issue. Also, there are times during the year when the amount of trash changes. He feels the current system is the best, as different methods were tried in the past and did not work.

Marianne Paresky, 10 Smith St. wished to know where she could obtain a recycling bin with wheels and handles, as these were available at one time. She believes pollution is ignored in Chelmsford, and she would like to see improvements done where the bike path meets Golden Cove Rd. She would support the red light cameras. And she would like to make people aware that coyotes are killing animals and pets on Stedman St. The police have been very helpful, and she asked if the coyotes could be controlled by some means.

Tom Liakos, 25 Donna Rd. asked if rules on etiquette could be posted on signs on the bike path, as some bikers are rude towards walkers or people roller blading on the path. He also asked about the bid process on utility work. Mr. Cohen explained there has been a request from the state to allow night work to minimize effects on traffic, and that BPAC is working with other towns on drafting rules for the bike path. The DPW is getting an estimate on signage.

Tom Gilroy, 14 Temi Rd. felt the situation at Byam School was political correctness run amok. He feels the town does not need red light cameras, it needs police. Mr. Gilroy asked how much revenue has been realized by the hotel and meals taxes. Mr. Cohen explained the state issues payments on a quarterly basis, and the taxes have not been in effect long enough.

Debbie Dery, Precinct 6, was concerned that people stuck in traffic in an intersection when the light changes will receive citations. A camera is needed at the intersection of Chelmsford and Stedman streets. The "Entering Chelmsford" sign on Stedman St. came down when the bridge was repaired. She would like to see manual trash pickup with single stream recycling. She feels dumpsters are being filled by non-residents trying to get rid of their excess trash. People need a place to legally dump their leaves. People are illegally dumping trash and leaves and she would like to see something done.

Louise Daigle, 30 Fifth Ave, felt awful about the situation at Byam School. He supported the red light cameras, and felt now is not the time for a dog park, and the current trash system is acceptable. A 40 gallon barrel would be too big. If no town money is used, creating a dog park would be ok.

Paul Vaughan, 85 Acton Rd. preferred a 64 gallon barrel with single stream recycling. He suggested lighted crosswalks in the town center.

Norm Lebreque felt the current trash system was adequate unless a less expensive alternative could be proposed. Chairman Jeannotte explained that options are still being researched, and Mr. Cohen explained the need to look at services if there is less funding coming from the state. Mr. Lebreque asked if red light cameras were really necessary, as there would be costs associated with reviewing tapes and training.

Chairman Jeannotte encouraged residents to contact the Board or the Town Manager with any other concerns, and thanked attendees for participating this evening.

Motion: by Selectman Wojtas to adjourn the session. Seconded by Selectman Dahlberg. Motion carried, unanimous.

Session adjourned at 9:35 PM.

Respectfully submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
November 23, 2009

Town Offices
50 Billerica Rd.

7:00 p.m.	**Call to Order**	
	Public Service Announcements • **Thanksgiving Walk** • **Winter Tree Scavenger Hunt** • **Rabies & Microchip Clinic** • **Holiday Prelude** • **Garrison House 50 year Anniversary** • **Senior Center 20 year Anniversary**	*Tab 1*
	Open Session	
	Committee Vacancies	*Tab 2*
	Scheduled Business	
7:30 p.m.	**North Pole Christmas Trees – Roadside Vendor License**	*Tab 3*
7:35 p.m.	**Saint John One Day Beer and Wine License, December 5**	*Tab 4*
7:40 p.m.	**Pole Petition – Parkhurst Rd. / Gorham St. / Riverneck Rd.**	*Tab 5*
8:00 p.m.	**Tax Classification Hearing – Continuation of Public Hearing**	*Tab 6*
	Town Manager Reports • Billboard Bid Specifications • Unfunded Mandates / Legislative Cost Savings	*Tab 7*
	Town Manager Appointments • Center Town Hall Advisory Committee • Open Space and Recreation Plan Committee	*Tab 8*

***** This meeting is televised. *****

Unscheduled Business *Tab 9*

- Applebee's Change of Officer and Director
- Proposed Board of Selectmen Meeting Schedule
    - January 11, 2010
    - January 25, 2010
    - February 8, 2010
    - February 22, 2010
    - March 8, 2010
    - March 22, 2010

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: December 7, 2009

APPROVED 12/21/2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting Minutes
November 23, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:04PM.

Public Service Announcements

Thanksgiving Walk
The annual Day Before Thanksgiving Walk at Thanksgiving Forest will begin at 2PM from the Janet Rd entrance, and 2:30PM from the Gary Rd. entrance. Everyone is welcome to this no-cost event, refreshments will be served, and Becky Warren will speak. For more information, contact Phil@theChelmsfordian.com, or call 978-273-1474.

Winter Tree Scavenger Hunt
The hunt begins on November 27, 2009, and will end on January 1, 2010. Contestants are asked to photograph themselves with 10 of the 12 trees, and send the digital photos to Phil@theChelmsfordian.com. Completed entries may win a trophy. The hunt is designed to introduce people to natural resources in the Town.

Rabies & Microchip Clinic
The annual Rabies & Microchip Clinic will be held on December 5, 2009 from 10AM-noon at the Chelmsford Dog Pound, 2 Olde North Rd. All animals must be on a leash or in a carrier.

Holiday Prelude
Sue Gates announced the Holiday Prelude will be from 12-6PM on December 6, 2009. Many activities will take place at the Old Town Hall and all around Chelmsford Center. Everyone Welcome.

Garrison House 50 Year Anniversary
Selectman Wojtas read the Proclamation, which was accepted by George Ripsom on behalf of the Trustees for the Garrison House. There will be a Celebration on November 29, 2009 at the Garrison House from 1-4PM. Mr. Ripsom asked the Board if a selectman could read the proclamation at their event on Sunday. The program will include re-enactors, music, and cake. Chairman Jeannotte agreed that someone from the Board would be present at the ceremony.

Senior Center 20 Year Anniversary
Selectman Wojtas read the Proclamation, which was accepted by (no name given). Over 500 people attended the celebration held at the Center. The Board was thanked for its support of the Senior Center by Diane Ryder.

Memorial Student Scholarship
Ed Quinn, 14 Briar Rd., and Randy Whitehead were present to announce the Jazzy Snazzy Christmas Concert being held on December 11, 2009 from 7:30-9PM at the Performing Arts Center. This fundraiser is being held in memory of Dave Tousignant, and a new mat will be presented to the High School before the first varsity match. Funds raised will also be used for 2 scholarship awards, which are awarded every year.

Brick Kiln Cup
Selectman Wojtas showed the Brick Kiln Cup , which the winning team of the Chelmsford-Billerica Football game on Thanksgiving Day will receive. The game will start at 10AM, in Billerica.

Open Session
Jeff Hardy & Lynn Marcela spoke on behalf of the Parade Committee to announce there will be a horse drawn carriage at the Holiday Prelude. Fundraising has already begun for the July 4th parade, which will be held on July 5, 2010. They presented the Town's banner, to be hung in Chelmsford Center along with 32 others, beginning this Sunday. The Committee will be presented with a Community Service Award from the Chamber of Commerce on December 1, 2009. The Great American Fourth of July video will be screened in January, 2010. A DVD will be available for sale, and the video will be viewed on cable television.

Committee Vacancies
Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office.

Scheduled Business

North Pole Christmas Trees-Roadside Vendor License
Mr. George Kessler was present for questions. He's been selling trees for 35 years; this will be his first year in Chelmsford, at this location.

Motion: by Selectman Wojtas to approve a Roadside Vendor License to Kessler-North Pole Christmas Trees, to be exercised on the premises at 95 Drum Hill Rd., from November 26-December 25, 2009 for the hours of 9:00AM-9:00PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

St. John One Day Beer & Wine License, December 5, 2009
Liliana Lucas was present for questions. She took the TIPS certification test this past Saturday, and will forward her certificate as soon as she receives it. She hopes to hear something by the end of this week.

Motion: by Selectman Wojtas to approve a one day Beer and Wine License to St. John's Church for an auction event on December 5, 2009 for the hours of 5PM to 11PM, contingent on receipt of TIPS certification. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Pole Petition-Parkhurst Rd.
Robert Grassier, Verizon Engineering and Construction Division, 28 Diana Lane, Dracut explained that Verizon and the Town have completed negotiations to install a FIOS network. This part of the project involves the installation of conduit and fiber optic cable along part of Parkhurst Rd. A meeting earlier this day revealed a conflict with this project and another project being completed by the DPW & Mass Highway. It was agreed that the underground conduit can be installed starting at Pole 16, instead of at Pole 18. The revised plan should be available on November 24, 2009. Mr. Grassier will be meeting with Mr. Pearson again to discuss areas where underground conduit has not been placed by other utility companies. Mr. Cohen noted the 18 month period for completing the FIOS network installation begins January, 2010. Mr. Grassier left his business cards for the Board in the event anyone has any questions of concerns.

No further questions from the Board; no comments from the audience.

Motion: by Selectman Wojtas to close the Public Hearing. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve Verizon's Pole Petition Plan 41 contingent on receiving the revisions from the Town Engineer. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager's Report

Special Election Warrant
The Special Election – the primary election to fill the open US Senate seat - will be held on December 8, 2009, 7AM-8PM at the usual polling locations.

Motion: by Selectman Wojtas to approve the Warrant for the Special Election of December 8, 2009, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Appointments

Center Town Hall Advisory Committee
Mr. Cohen explained that the customary process of applying for applicants was not utilized for this Committee, as the existing ad hoc group has been working with the Town Manager's office for many months, and they are very familiar with the ongoing operations to date. Mr. Cohen requested the Board's approval of the existing ad hoc committee for the remainder of the fiscal year. Mr. Cohen will evaluate the process in June, 2010. This Committee would oversee operations of the Center Town Hall; structural issues would still be under the purview of the Permanent Building Committee. A similar advisory committee will be appointed for the North Town Hall at the appropriate time.

Motion: by Selectman Wojtas to approve the Town Manager's appointment of Linda Chemaly, Kathy Cryan-Hicks, Susan Gates, Kit Harbison, and Andy Rega to the Center Town Hall Advisory Committee for a term to expire June 30, 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Open Space & Recreation Plan Committee
Mr. Cohen has received the town appointees for this committee, there are still 2 openings for citizen representatives. The existing Open Space & Recreation Plan will be expiring, so work on the update must begin as soon as possible.

Motion: by Selectman Wojtas to approve the Town Manager's appointment of Charlie Wojtas, Michael Koziel, Steve Roberts, Dave McLachlan, Beth Logan, Rebecca Markey and Ed Roux to the Open Space and Recreation Plan Committee, for a term to expire on June 30, 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Unscheduled Business

Applebee's Change of Officer and Director
Mr. Cohen explained that the ABCC requires a formal vote of the Board of Selectmen when a change of this nature occurs, as a condition of their liquor license.

Motion: by Selectman Wojtas to accept the change of officer and director for Applebee's Restaurants North, LLC from Carin L. Stutz to Michael Archer, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Tax Classification Hearing-Continuation of Public Hearing
Sam Chase, Chairman of the Board of Assessors provided an additional packet of information for the Board's consideration. Mr. Chase explained that the Board of Selectmen is required by law to hold an annual Public Hearing regarding Tax Classification and decide whether to split the tax rate. The Board of Assessors' role is to assess real and personal property; they do not have a say whether to split the tax rate. Assessors review residential and commercial sales data, determine a minimum residential factor, and review exemptions, abatements and compliance. Information was also provided on the effects of various shifts in tax rates between residential and commercial properties. Mr. Reen explained the filing of the latest rates has been sent to the Department of Revenue, he is still waiting to hear back from the Department.

Audience comments
John Edward, Precinct 5 agreed Chelmsford has historically rated commercial properties properly, but has not studied the inequities of assessment. Commercial and residential properties are not similar. Any shift would ease the tax burden for residents. Mr. Edward requested that when the Board votes on classification, each Selectman provide an explanation of why he/she voted as he/she did.

Mary Tiano, 1 Spruce St. wished to congratulate the Board of Assessors on the higher rate of return of Income and Expense forms from local businesses. Mr. Reen explained they look at other towns for secondary sales information, but focus on what is happening in Chelmsford. Chairman Jeannotte explained the presentation would be posted online.

Glenn Thoren, Precinct 5, felt the assessors do a tremendous job, and the differentiation between cities was caused by a Supreme Court decision. A committee could be formed to review assessment during the year. Classification can work in towns with a different balance of businesses and residences.

Richard Defreitas, Precinct 8, advised that a classification shift would affect small businesses more, possibly putting them out of business.

Doug Hausler, spoke as a representative of the Chelmsford Business Association, said that he would oppose any attempt to impose a split tax rate. The Town tried a 5% shift in the 80's, and it took a decade to fix without unduly hurting residential taxpayers. Both residents and businesses were harmed. The town does not have a large business base, and most people are able to pay their taxes on time. There would be no benefit to business for carrying an additional tax burden, as they use less town services.

Motion: by Selectman Wojtas to continue this hearing until December 7, 2009, pending the Department of Revenue results. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Proposed Board of Selectman Meeting Schedule
A list of future meetings for January through March, 2010 was provided to the Board. There will be a work session meeting on November 30, 2009, at 6PM. A joint meeting with the finance committee and school department will take place on December 14, 2009 at the School Administration building.

Town Manager Reports

Billboard Bid Specifications
Mr. Cohen received comments from Town Counsel regarding legal issues on billboards. Any restrictions should be included in the Request for Proposal. The RFP form should be finalized in January, 2010.

Unfunded Mandates/Legislative Cost Savings
Mr. Cohen provided the summary list of potential cost savings on unfunded mandates as requested by Cory Atkins. This 15 item list was prepared by town department heads. Evelyn Thoren agreed to forward the e-mail link for the School Departments list. Chairman Jeannotte reasoned it may be an easier strategy to ask for relief of mandates as opposed to asking for more money. The biggest item on the list is health insurance benefits.

Stimulus Funding Awards
Mr. Cohen received notification that the Police Department was denied grant funding for 1 year for 4 police officers, which could possibly be based on the town having lower crime rates than other areas. The Fire Department did receive $173,000.00 in funding for three firefighters. This will help with their overtime costs, as 2 firefighters are out on injury and have 1 unfilled position. Chief Parow is submitting a different application for additional funding through the "Safer" program. Mr. Cohen advised not enough funding was received to enable the station in South Chelmsford to reopen.

Other unscheduled Business
The agenda for next Monday's work session should be ready by Tuesday, and will include a discussion on annual goals, FY2010 budget update, and FY2011 budget predictions. Mr. Cohen hopes to have the town's audit results by December 21, 2009.

Selectman Referrals:

Selectman Scanlon:

Selectman Scanlon's wife gave birth to daughter Evelyn on November 15.

Selectmen Scanlon and Wojtas have been planning a partnership with other groups to create a Military Community Covenant Program. An event will be held on December 17, 2009, at 3PM, at the Elks Lodge.

Selectman Wojtas:
Selectman Wojtas advised that recycling bins on wheels are available; interested users should contact Jennifer Almeida in the Recycling Department, or the Council on disabilities at 978-250-9689.

The Veterans Day events were well attended, and a new stone was dedicated at the Veterans Memorial Park.

Selectman Dixon:
Selectman Dixon wished to acknowledge the passing of Lorraine Lambert; she will be missed.

The Town Halls Benefit Concert was a very successful event; the Performing Arts Center is a beautiful facility.

Selectman Dixon wished all residents a Happy Thanksgiving, and Good Luck to the Lions in the game against Billerica on Thanksgiving Day.

Selectman Dahlberg:
No referrals

Chairman Jeannotte:
Chairman Jeannotte hopes for a warm Thanksgiving. She attended an Eagle Scout event, and wished to congratulate the youngest scout ever to obtain his award at age 14.

Press Questions
Rita Savard of the Lowell Sun asked when the Board would be voting on Tax Classification. She was advised the vote would take place after the proposed rates were approved by the Department of Revenue.

Executive Session
Not needed this evening.

Next Regular Meeting: December 7, 2009

Meeting adjourned at 9:15PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
Work Session Agenda
November 30, 2009

Town Offices
50 Billerica Rd.

6:00 p.m. Call to Order

Scheduled Business

- BOS Organizational Items
  - Correspondence
  - Standing Committees
  - Sub-Committees / Work Groups
  - Information Item – Municipal Partnership Act – Part 2

6:20 p.m.
- Fire / DPW Facilities – Gary Persichetti & Dave Duane

6:40 p.m.
- Solid Waste/Recycling Collection Bid Specifications – Carolyn Dan & Jennifer Almeida

7:00 p.m.
- FY 2010 Budget Update – John Sousa

7:05 p.m.
- FY2011 Operating Budget – John Sousa

7:20 p.m.
- Municipal Health Insurance – John Sousa & Jeanne Parziale

7:50 p.m.
- Quinn Bill

7:55 p.m.
- Integration of Building Department and Community Development

8:30 p.m. Adjourn (in no event will the meeting go beyond 9:00 p.m.)

Next Regular Meeting: December 7, 2009

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

APPROVED 1/25/2010

Work Session Meeting MINUTES
November 30, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 6:02 PM.

Scheduled Business
BOS Organizational Items - Standing Committees/Sub-Committees/Work Groups
Chairman Jeannotte stated that she was looking for feedback from the Board on how the Board does its work, and suggested using subcommittees, work groups or standing committees as a way to get more work done. Forming these groups would not stop any Board member from doing their own research, and the public would always be welcome to contact any Board member with a concern. Selectmen Wojtas and Dixon thought this was a good idea, as a way to assist the Town Manager. Mr. Cohen explained ad hoc committees have been used by prior boards as needed. Distinction would be needed to determine ad hoc committees vs. standing committees, and policy issues vs. administrative issues. Selectman Scanlon was concerned about creating bias and communication issues between the Board and the public. Selectman Dahlberg felt a priority was to make sure someone on the Board always gets back to a resident within a reasonable period of time. The Board agreed the Policy Sub-Committee should remain as a standing committee, as it is good to re-evaluate how business gets done on a periodic basis. The Board felt there was no need to create a work group to monitor financial issues. Other groups could be formed as needed.

Correspondence
Chairman Jeannotte asked Mr. Cohen if all correspondence could be sent to the Board via e-mail, as a way to eliminate the perceived backlog using the current folder system. Mr. Cohen agreed to send priority correspondence by e-mail as is currently being done, and other correspondence by e-mail once a week, by Thursday.

Information Item-Municipal Partnership Act-Part 2
Feedback from the Board regarding charter schools, pension reform, the Quinn Bill, health insurance and telecom equipment should be sent to Selectman Wojtas for a letter to the town's legislative delegation. A formal presentation will be given for the public on December 21, 2009. Selectman Wojtas also requested that feedback for the Housing Committee be sent to her for a similar presentation at the same meeting.

Fire/DPW Facilities-Gary Persechetti & Dave Duane
Mr. Cohen explained that the Permanent Building Committee has developed additional options for these buildings since the debt exclusion question has failed at the ballot. Option 1 for the Fire Station involved investing $1.25 million into the existing structure over a two year period, which would not address the operational and long term space needs for the department. Option 2 was to invest $5 million to totally renovate the existing structure without adding any additional space. Option 3 was to construct an entirely new building at the current site for an approximate cost of $5.2 million. Option 4 was to request a $4.5 million debt exclusion to construct a 13,000SF pre-engineered 3 bay building at Wilson and Chelmsford Streets, which would allow the department to build additions over time.

Option 1 for the DPW facilities is to construct new facilities on Richardson Rd for an approximate cost of $26 million. Option 2 is to invest $4.6 million in capital planning funds over five years to construct a 10,000 SF vehicle storage bay, 3,000 SF office space and other renovations. This would not address all of the department's operational needs. Option 3 was to request a $5 million debt exclusion to purchase the building on Alpha Rd., and immediately relocate the highway department operations. A gradual transfer of other operations would occur over a seven year period with future capital appropriations of $6.6 million.

Mr. Cohen recommended allowing the Permanent Building Committee to develop cost estimates and preliminary design plans for the relocation of the DPW to Alpha Rd and for the construction of a new fire headquarters facility on Wilson St, both via debt exclusions, as there is not enough funding in the Capital Planning accounts to address either of these situations. The DPW has pending litigation issues with the Water District, and if the Fire Station is not addressed soon, the building will have to be closed, which will affect equipment location and response times on emergency calls. Mr. Cohen asked the Board to consider allowing the debt exclusion question on the April 6, 2010 annual Town election ballot. Mr. Cohen prefers to address these buildings now, as the schools will require more capital improvements by 2019.

Selectman Wojtas was not in favor of asking for another debt exclusion this soon. Selectman Dahlberg requested more information, as this represents a significant savings over the last proposal. Selectman Dixon supported the recommended proposals and agreed with Mr. Cohen's evaluation that the current facilities are not repairable. Chairman Jeannotte requested more information on how the phased in approach would work. Although both buildings need immediate solutions, the community may be hesitant to support any increase in their tax bills without a solid long term strategic plan. Selectman Scanlon was not comfortable with the proposal, as the prior proposal was described as meeting minimum requirements, and now the new proposal presents a new set of minimum requirements. Mr. Cohen pointed out that the new proposals leave room to grow when times get better. Mr. Sousa provided documentation on the debt exclusion amortization figures. Mr. Cohen indicated that if there was no support from the Board, there were other projects the Permanent Building Committee could complete. Dave Duane explained the Committee was not comfortable spending money for consultants for projects that were not supported. Chairman Jeannotte asked for more time to consider the proposals.

Solid Waste/Recycling Collection Bid Specifications-Carolyn Dan & Jennifer Almeida
After reviewing all of the feedback from various sources, Mr. Cohen recommended issuing a Request for Proposal for a three year contract period for manual solid waste collection with a two 32-gallon barrel limit. Biweekly recycling collection would remain the same as present. The

savings would appear in the disposal costs. Mr. Cohen noted that Lowell and Billerica are not seeing the revenue realizations from increased bag purchases as was expected. Chairman Jeannotte asked if an option could be included for single stream recycling, Mr. Cohen agreed to ask.

FY 2010 Budget Update-John Sousa
Mr. Sousa noted no major concerns with the current budget, tax collections are strong, local aid has been spared to date. No large increase in motor vehicle excise tax is expected, and he is still awaiting state payment of meals and hotel taxes. He is monitoring use of police and fire department overtime, due to personnel out on injury. The Federal Government has recently approved another extension for unemployment benefits, which cost the Town more. He is also watching the legal budget, and hoping for a mild winter. Mr. Cohen stated the stimulus grant for additional police and fire personnel will help with the overtime situation; conditions of the grant are still being reviewed. Interest income is still decreasing.

FY 2011 Operating Budget-John Sousa
Mr. Sousa provided estimates for new revenue coming in at $1,221,579.00, and level service expenditure increases coming in at $3,197,653.00, for a projected deficit of $1,976,074.00 if there is a 10% decrease in state aid. If state aid is level funded, which is unlikely, the projected deficit would be reduced to $500,000.00. The excluded debt decrease is not part of the operating budget. The School Department may not be ready with their estimates until January. The school Department is using $750,000.00 in stimulus funding this year; they are not sure what, if any stimulus funding will be granted for FY2011.

Municipal Health Insurance-John Sousa and Jeanne Parziale
Mr. Cohen is meeting with union representatives to ask for their input in addressing health insurance costs, as continued layoffs will negatively affect working conditions. Selectman Scanlon asked there were any small areas that could be looked at for potential reductions. Mr. Cohen noted the core priority remains education. Health care costs have increased 181% over the past decade. Information was provided on premium cost history, a brief summary of benefits, and which plans are being utilized. Mr. Cohen noted that a change in health care plans may only address 25% of the projected $2 million deficit in the upcoming year's estimated budget.

Quinn Bill
Mr. Cohen noted that the Town's cost recovery may continue into the next fiscal year, which may contribute to a funding shortfall for the current fiscal year. The seven non-union leadership positions (which must be fully funded) represent $70,000.00 of the $200,000.00 State reimbursement.

Integration of Building Department and Community Development
Mr. Cohen asked the Board to approve allowing the integration of the Building Department into the Community Development Department. This change would provide additional needed resources for zoning enforcement. The change would require layout changes for the various offices on the bottom floor of town hall, including these 2 departments, the Board of Health, Sewer Department and Emergency Management office. The changes would incur no costs, and could be implemented over the holiday week. Selectman Wojtas suggested that reminding businesses of some of the regulations and bylaws would be appropriate at this time, since their licenses are renewing in December. Chairman Jeannotte agreed that the bylaws need to be reviewed, and suggested sending a letter with the renewal requests.

Other Business
Mr., Cohen received another inquiry about installation of a cell tower at the Chelmsford Country Club. Chairman Jeannotte was opposed to the request, Selectmen Dahlberg and Dixon requested more information for consideration, and Selectman Wojtas supported consideration of the request.

Mr. Cohen is still working with Evan Belansky on expedited permitting considerations.

Motion by Selectman Wojtas to adjourn the meeting. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Meeting adjourned at 9:08PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
December 7, 2009

Town Offices
50 Billerica Rd.

7:00 p.m.	**Call to Order**	
	Public Service Announcements • **Community Covenant**	*Tab 1*
	Open Session	
	Committee Vacancies	*Tab 2*
	Scheduled Business	
7:30 p.m.	**Evan Belansky -Community Development Block Grant - Public Hearing**	*Tab 3*
7:45 p.m.	**Pole Petition – Graniteville Road**	*Tab 4*
7:50 p.m.	**Elks – Change of Manager**	*Tab 5*
8:00 p.m.	**Joseph Shanahan - Westland's Place**	------
8:05 p.m.	**Continuation of Public Hearing – Tax Classification**	*Tab 6*
	Town Manager Reports • Integration of Community Development and Building Department	*Tab 7*
	Town Manager Appointments • Energy Conservation Committee	*Tab 8*
	Unscheduled Business • Annual License Renewals • Solid Waste/ Recycling Bid Documents • Vote to post the warrant for the January 19th Special State Election	*Tab 9*
	Selectman Referrals	
	Press Questions	
	Executive Session	
	Next Regular Meeting: December 21, 2009	

***** This meeting is televised. *****

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

APPROVED 1/25/10

Regular Meeting MINUTES
December 7, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr, Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:04PM.

Public Service Announcements

Community Covenant
Selectman Scanlon announced that the Military Community Covenant Signing Ceremony would be held on Thursday, December 17, 2009 3-6 PM at the Chelmsford Lodge of Elks, 300 Littleton Rd.

Certificate of Achievement
A Certificate of Achievement recognizing John C. Ferreira was read by Selectman Wojtas. Mr. Ferreira is retiring from the Department of Public Works after 40 years of service to the Town.

Open Session
No one came forward to address the Board in Open Session.

Committee Vacancies
Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office. Mr. Cohen explained the purpose of the Census Committee, explaining that this is not the group that goes door-to-door, but will work on outreach efforts to have as many people participate in the census as possible. Three inquiries have been received to date; Mr. Cohen would like to appoint this committee by January 11, 2010. Two more applicants are requested for this committee.

Town Manager Reports
Integration of Community Development & Building Department
Mr. Cohen explained this has been done successfully in other communities, and would provide better coordination response and service to residents. There would be no change in personnel, better zoning enforcement, and administrative backup. Reconfiguration of office space on the lower floor of Town Hall will be done over the holidays. This will also assist in the goal of expedited permitting, which is important for economic development.

Motion: by Selectman Wojtas to support the Town Manager's plan for the integration of the Building Department in the Community Development Office. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Other Reports
Mr. Cohen provided information on the rate increase for ambulance service, as per their contract, for the Board's review. The new rate became affective December 1, 2009.

The deadline for submitting citizen petition articles for the Spring Town Meeting Warrant is January 4, 2010.

Mr. Cohen provided information for the Environmental Notification form for the road reconfiguration project at Parkhurst and Smith Streets. Design drawings are pending, temporary easements are pending and NMCOG is reviewing comments. Selectman Wojtas noted that the $1.7 million project may be funded through DOT funds, not federal stimulus funds. Mr. Cohen explained advertising for bids would begin in January. Selectman Wojtas wished to recognize state legislators for their efforts in making this happen.

Motion: by Selectman Wojtas to send a letter of thanks to the appropriate legislators who assisted in allowing the reconfiguration project for Parkhurst and Smith Streets to become eligible for Department of Transportation funding. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Appointments - Energy Conservation Committee
Motion: by Selectman Wojtas to approve the Town Manager's appointment of Tim Wysocki to the Energy Conservation Committee, for a term to expire on June 30, 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Other Public Service Announcements:
Mr. Cohen reminded the Board there would be a Joint Meeting of the Board of Selectmen, School Department and Finance Committee held on December 14, 2009 at 7PM, at the School Administration Building to discuss the FY2011 budget. Mr. Cohen is still awaiting news on State Aid; there will be no further 9C cuts at this time.

Chairman Jeannotte reminded residents to vote on December 8, 2009.

Scheduled Business

Evan Belansky-Community Development Block Grant-Public Hearing
Mr. Belansky provided information regarding this program. Billerica and Chelmsford applied for funding for this grant last year and were not successful. Background information was given from 2003-present, strategic planning documents referenced included the 2005 Affordable Housing Plan, 2003 Open Space & Recreation Plan, 2010 Master Plan Update, 2008 Economic Development Plan and the 2010-2011 Draft Community Preservation Plan. Mr. Belansky provided information on Community Development priorities to include updating the Town's strategic Planning documents, review of land use & development regulations, expansion of affordable housing options, maintenance and preservation of existing housing stock, and encouragement of economic development activity. Commercial and residential target areas were identified based on income, age of the population and age of the structure. A survey will be mailed to target area residents to identify need and interest. Mr. Belansky requested the Board's input by the end of December. Although the demand for assistance is town-wide, the grant sponsors requested smaller target areas. Two target areas were identified, based on the number of

single family homes that would qualify. The total grant is for $900,000.00, of which up to 12 homes in Chelmsford could receive funding for weatherization and required code upgrades. Billerica would provide administrative support, as they are the lead applicant, though both towns are applying for the grant together. If funding is successful, awards would be granted as a deferred loan program with a recording on the deed. A Public Input session is scheduled for January, 2010. The audience was asked for comments; no one came forward at this time. The grant application will be submitted by February 12, 2010.

Motion: by Selectman Wojtas to close the Public Hearing. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Pole Petition-Graniteville Rd.
Joseph Gleason spoke on behalf of Verizon. He explained five poles were proposed to be installed along 66 Graniteville Rd., to accommodate utilities for four house lots being developed at this location. The DPW Director has approved the location of the proposed poles. No comments from the audience.

Motion: by Selectman Wojtas to close the Public Hearing. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve Pole Petition #42, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Elks-Change of Manager
Alan LeRoux was present, as the new manager for the Elks Lodge, for any questions the Board may have. TIPS certification was submitted two weeks ago, along with insurance information. The CORI check revealed no concerns.

Motion: by Selectman Wojtas to approve Alan LeRoux as the new manager of the Elks Lodge. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Selectman Wojtas thanked Mr. LeRoux for hosting the Covenant Signing event on to be held on December 17, 2009.

Westland's Place-Continued to December 7, 2009
The applicant has requested further continuance, without explanation.

Motion: by Selectman Wojtas to continue this hearing until January 11, 2010 at 8PM, as requested, with the condition that a status be provided by the applicant, or the petition would be considered withdrawn. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Tax Classification Hearing-Continuation of Public Hearing
Mr. Cohen explained certification has not been received from the Department of Revenue yet. Several towns are in this position, due to staff cutbacks at the State level. Mr. Cohen recommended continuation of this hearing to December 14, 2009, and he explained the steps necessary before the bills could be issued. Legislation is pending that would allow tax bills to go out in January.

Motion: by Selectman Wojtas to continue the Public Hearing to December 14, 2009, at 6:30PM, at the School Administration Building. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Unscheduled Business:
Annual License Renewals

Motion: by Selectman Wojtas to approve a Lodging House License for one applicant for 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve an Automatic Amusement License for one applicant for 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve All Alcohol Club Licenses for two applicants for 2010, subject to conditions where noted. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve All Alcohol Innholders Licenses for two applicants for 2010, subject to conditions where noted. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve Beer & Wine Restaurant Licenses for nine applicants for 2010, subject to conditions where noted. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve All Alcohol Restaurant Licenses for twenty-three applicants for 2010, subject to conditions where noted. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to deny All Alcohol Restaurant License for Bainbridge's Restaurant for 2010, due to failure to return ABCC form as noted. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve All Alcohol Package Store Licenses for seven applicants for 2010, subject to conditions where noted. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve Class I Auto Dealers Licenses for two applicants for 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve Class II Auto Dealers Licenses for twenty-four applicants for 2010, subject to conditions where noted. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve Common Victualer Licenses for forty-four applicants for 2010, subject to conditions where noted. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Solid Waste/Recycling Bid Documents

Chairman Jeannotte provided a history of this process to date, and explained that major goals considered included reducing tonnage, increasing environmental awareness, and minimizing costs. Mr. Cohen explained that after considering input received from residents and the past work done by the task force, the consensus is to request a 3 year contract for manual collection. A joint bid will be done with the Town of Westford. The contracts will be separate, but bidding results seem to be more favorable when more than one town is involved. Bids will be accepted through the end of January. The three year contract may allow future joint bids to line up with additional towns. Bids for the recycling contract will include amounts for single and dual stream recycling. There will be a two 32-gallon barrel limit, with one bulk item allowed per week. Bags will be available for an additional cost. The bid award will be done in February, using the spring season as a transition period. This proposal anticipates a 12% reduction in disposal tonnage and costs, and will help with budgeting issues. The Recycling Enforcement Officer is still working out of Billerica. Pickup for small businesses will be requested. Other considerations in the RFP include 5-day vs. single day pickup.

Selectman Referrals:

Selectman Scanlon:
Selectman Scanlon announced that three state representatives have agreed to attend the covenant signing event.

Selectman Wojtas:
Selectman Wojtas attended the Garrison House Celebration.

The LRTA has received about $4million in federal stimulus funding, and will be researching using solar panels on their bus garage, implementing fare collection changes, among other things. Service to the Pheasant Lane Mall will be re-instituted on Saturdays for December and January.

The Chelmsford Parade Committee was recognized at the Chamber of Commerce event; Mr. Cohen was thanked for his efforts.

The Tree lighting event in No. Chelmsford was a nice occasion.

Selectman Dahlberg:
No referrals.

Selectman Dixon:
Selectman Dixon attended the Center Tree Lighting event, which was very well attended.

Chairman Jeannotte:
Chairman Jeannotte wished everyone a wonderful holiday season.

Chairman Jeannotte requested an update of the Permanent Building Committee's assessment of town-owned facilities. Mr. Cohen explained the assessment should be ready in time for Spring Town Meeting. A draft of the document has been presented to Master Plan Committee, and will include 5 and 10 year capital planning documents. Mr. Cohen advised it will not be possible to address the DPW and Fire Station facilities without going to the ballot. Mr. Cohen does not support rehabilitating the existing facilities, as this would not be a sound investment. The school department has been asked to submit their long term building and technology needs. Available

resources do not meet current demand. Chairman Jeannotte suggested that a list of needs would help provide a comprehensive picture to residents. Mr. Cohen noted that OSHA inspections may require the current Center station be closed, which will affect response time. Selectmen Dixon, Dahlberg and Scanlon requested more information on the newest proposals for both DPW and Fire facilities, as no one wished to jeopardize the safety of employees or residents. Chairman Jeannotte requested the draft report from the Permanent Building Committee by January. Mr. Cohen voiced frustration that the original proposals failed at the ballot, and the Board did not support the reduced proposal, and the problems will need to be addressed. The Committee is down two people, and has recently changed leadership, causing delays in the report.

Selectman Dixon further wished to congratulate John Harrington on a successful Chelmsford Business Association event, and offered congratulations to Brian Reidy for being recognized at the event.

Press Questions
Rita Savard, Lowell Sun, asked if there was going to be a report from the Permanent Building Committee. Mr. Cohen explained it would be ready by February.

Chloe Gotsis, Chelmsford Independent, asked to verify what would happen to the Tax Classification Hearing. Mr. Cohen explained if it was not resolved by the end of December, a new hearing would be opened in January. If the legislature fails to grant an extension for bills, the 3rd quarter bills would be estimated, with any difference being due in the fourth quarter bills.

Ms. Gotzis asked if the DPW/ Fire questions were off the table. Mr. Cohen explained that for now, they were, but they would be back.

Executive Session
Not needed this evening.

Motion by Selectman Wojtas to adjourn. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Meeting adjourned at 9:30PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

APPROVED 3/8/2010

Town of Chelmsford
Board of Selectmen Minutes
School Administration Building
230 North Road
Chelmsford, MA 01824

Regular Meeting Minutes
December 14, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr., Selectman

Paul Cohen, Town Manager

Meeting was called to order by Chairman Jeannotte at 6:30 PM.

Tax Classification Hearing-Continued
Mr. Cohen explained state approval of the tax rates has not been received yet. Legislation is pending to allow an extension for issuing the tax bills until January. This hearing may need to be closed at the end of December, and re-opened as a new hearing in January. Mr. Cohen reviewed the time line of events needed to issue the tax bills.

Motion: by Selectman Wojtas to continue the Tax Classification Hearing until December 21, 2009, at 8:30PM in Room 204 of the Town Hall. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Discussion of 12 Stedman St. Zoning Issue
Selectman Dahlberg advised that residents have asked if the Board is willing to send a message to the Board of Appeals regarding the zoning violations on 12 Stedman St., similar to what the Planning Board has done. Selectman Wojtas felt the Board of Selectmen should not be directing the Board of Appeals, however, if individual members wished they could send their opinion to the Board of Appeals. It is routine practice for the Planning Board to issue opinions on matters before the ZBA. Chairman Jeannotte felt there was a misunderstanding by the public on what the Board's responsibilities were in this situation. Zoning enforcement is under the purview of the Building Inspector, not the Board of Selectmen. The applicant needs to comply with the bylaw. The actions taken by the Town Manager were appropriate. No formal vote would be required of the Board.

Motion: by Selectman Wojtas to adjourn the meeting. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Meeting adjourned at 6:45 PM.

Respectfully submitted,
Vivian W. Merrill
Recording Secretary

APPROVED 3/8/2010

Town of Chelmsford
Board of Selectmen Minutes
School Administration Building
230 North Road
Chelmsford, MA 01824

Tri-Board Meeting Minutes
December 14, 2009

Attending

Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr., Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager
John Sousa, Town Treasurer
Darlene Lussier, Town Accountant

School Committee Members Present: Angelo Taranto, Chairman; Nicholas DeSilvio, Katherine Duffet

Finance Committee Members Present: Dwight Hayward, Jon Kurland, Dave Turocy, Mary Frantz, Donald Van Dyne, Vincent Villano, Timothy McIlvenna

School Department Members Present: Dr. Donald Yeoman, Superintendent; Robert Cruikshank, Business Manager; Frank Tiano, Assistant Superintendent

The meeting was called to order by Chairman Jeannotte at 7PM.

Mr. Cohen explained that testimony is pending regarding the FY2010 state budget for Wednesday, December 16, 2009. Local Aid has been spared so far. The Town is still awaiting approval of the 2010 tax rates from DOR. Legislation is pending to allow an extension for mailing the tax bills in January, pending the certification of assessed values. Second quarter figures from the state should be made available soon.

Ms. Lussier presented the FY2010 operating budget as of November 30, 2009. Local receipts from motor vehicle excise, permits and investment income are all lower for FY10 than in FY09. Expenditures are generally within budget funding levels. Police and Fire overtime is being monitored, the legal budget is being monitored, and unemployment benefit claims may be $50,000.00 over budget.

Mr. Sousa provided data on revenues from property taxes, state aid, local receipts and available funds. Assuming a 10% reduction in total State Aid, new revenue for FY2011 is expected to be $1,224,909.00. Expenditure increases are expected to be $2,897,653.00, for a projected deficit of $1,672,744.00. The deficit would be $200,000.00 if state aid is level funded. The School Department is utilizing various forms of stimulus funding to balance their budget for FY2010. The amounts of stimulus funding available for FY2011 is uncertain at this time. Mr. Cohen is anticipating level funded department budgets for

next year and further reductions in Town services. All collective bargaining contracts have expired, and negotiations are pending. In order to balance the budget, additional options include allowing cities and towns to modify health insurance benefits, hoping the legislature extends the pension funding schedule beyond 2028, and finding additional revenue sources through local options or fees. More information will become available in January when the Governor's budget and the motor vehicle excise commitment is released in January. Health Insurance rates should be released in February. Mr. Cohen noted that similar situations are occurring across the country. Chelmsford is receiving the same level of state aid today as was received in 2006. Further cuts in Chapter 70 aid would affect everyone.

Mr. Cruikshank provided a level service budget summary which indicated that the schools would have a deficit of $2,426,074.00 for FY2011. He explained how the federal grant money received for FY2010 has been utilized, and provided estimates on what would be received for FY2011, which amounted to a decrease of $1,194,506.00. In 2008 there were 691.4 full time employees, 2010 has 631.3 full time employees, and a school has closed. Enrollment numbers were provided from 1996 to 2010. Dr. Yeoman reviewed cuts to expenses that have already been made to staffing, buildings, programs, textbooks, professional development, technology and supplies over the last 18 months. At the same time, revenues were gained through bus fees, increased activity and athletic fees, and tuition fees from the CHIPS program. Potential solutions to the deficit include increasing athletic, activity and bus fees more, and more staff cuts. The effects of less students participating in these categories was not considered. Other considerations include creating part time positions in lieu of full time positions, among other things. Some stimulus money for technology has been set aside as a buffer for the next year, but they are being careful, as some of the funding has limits on what it can be used for. The school department anticipates losing students to charter schools, Nashoba Technical High School, or other private high schools. They are watching the kindergarten to first grade transition, as some students are participating in full day kindergarten. They are also monitoring new students entering Kindergarten compared to students graduating from the high school.

Mr. Cohen suggested the groups meet again after the Governor's budget has been announced. The next meeting was scheduled for January 28, 2010 at 7PM at the School Administration building. Chairman Jeannotte asked for suggestions for what could be done to get the message to Chelmsford's legislative delegation regarding the effects of further cuts to state aid on town finances. Mr. DeSilvio suggested joining with other towns to protest unfunded mandates as an avenue to reduce costs, since they do not cost the state anything. Chairman Jeannotte noted that some mandates are federal, and the state has used their stabilization fund in the past. She would like to see towns receive authority over health care costs. Selectman Wojtas explained the Board would be reviewing a list of potential cost cutting efforts from the State.

Motion: by Selectman Wojtas to adjourn to Executive Session with members of the School Committee for the discussion of collective bargaining strategy. Seconded by Selectman Dahlberg.

Roll Call Vote:
Chairman Jeannotte: Aye
Selectman Wojtas: Aye
Selectman Dahlberg: Aye
Selectman Dixon: Aye
Selectman Scanlon: Aye

Motion carries.

Meeting Adjourned at 8:45PM, not to return to regular session.

Respectfully Submitted,
Vivian Merrill
Recording Secretary

Town of Chelmsford
Board of Selectmen Minutes
School Administration Building
230 North Road
Chelmsford, MA 01824

APPROVED & RELEASED
3/22/2010

Executive Session MINUTES
December 14, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager
John Sousa, Town Treasurer

Also present: Angelo Taranto, Chairman; Nicholas DeSilvio, and Katherine Duffet of the School Committee; Dr. Don Yeoman, Superintendent of Schools; Frank Tiano, Assistant Superintendent; Bob Cruikshank, School Business Manager

Chairman Jeannotte stated that the purpose of this executive session is to discuss strategy with respect to collective bargaining.

Mr. Cohen provided a status report on his ongoing efforts to arrive at an agreement with town employee unions on adjusting health insurance benefits. He stated that union representatives have made it fairly clear that they will not agree to any changes to health benefits unless the town adopts Section 19.

Mr. Cohen stated that he sought official guidance from the Board on whether to continue his efforts. He also requested a sense of whether he has authority to pursue an agreement in which the town's portion of premiums exceeds the current benefit configuration.

Motion by Selectman Wojtas to authorize the Town Manager to pursue an agreement with town employee unions in which the town's current share of health insurance premiums is not exceeded. Selectman Dahlberg seconded the motion.

Roll Call:
Selectman Wojtas: AYE
Chairman Jeannotte: AYE
Selectman Dahlberg: AYE
Selectman Dixon: AYE
Selectman Scanlon: AYE

Motion carries, unanimous.

Motion by Selectman Wojtas to adjourn the Executive Session. Selectman Dahlberg seconded the motion.

Roll Call:
Selectman Wojtas: AYE
Chairman Jeannotte: AYE
Selectman Dahlberg: AYE
Selectman Dixon: AYE
Selectman Scanlon: AYE

Motion carries, unanimous. Executive Session adjourned at 9:30 PM.

Respectfully submitted,
Eric R. Dahlberg
Clerk

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
December 21, 2009

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements
- Deadline for Citizen Petitions 1/4/2010

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. **European Restaurant – Common Victualer / All Alcohol License**

7:35 p.m. **Café Madrid – Increase in Seating**

7:40 p.m. **Burger King – Change of Manager**

7:42 p.m. **JM Auto Sales – Application for Class II Dealers License, 118 Gorham St.**

7: 45 p.m. **Dave McLachlan – Center Water District Land Swap**

8:00 p.m. **Tax Classification - Continuation of Public Hearing or Approval To Extend The Time For Mailing Third Quarter Property Tax Bills**

8:15 p.m. **Powers & Sullivan Review of Audit Report Fiscal 2009**

Town Manager Bid Award
- Town Halls Feasibility Study
- Center School Gas Fired Condensing Boilers

Town Manager Reports
- Goals Update
- Budget Update
- Capital Budget Update
- Street Light Maintenance
- Green Community Designation – Adoption of Building Energy "Stretch" Code

***** This meeting is televised. *****

Town Manager Appointments

- Recycling Committee
- Cultural Council

BOS Meeting Minutes

- BOS Regular Meeting Minutes – October 5, 2009
- BOS Regular Meeting Minutes – October 26, 2009
- BOS Regular Meeting Minutes – November 9, 2009
- BOS Public Input Session Minutes – November 16, 2009
- BOS Regular Meeting Minutes – November 23, 2009

Unscheduled Business

Action Items:

- Vote to post the warrant for the January 19th State Election

Discussion Items:

- Municipal Partnership Act – Pat Wojtas
- MMA Legislative Agenda – Pat Wojtas
- Housing Committee – Pat Wojtas

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: January 11, 2010

APPROVED 3/8/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting Minutes
December 21, 2009

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr., Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:01PM.

Public Service Announcements
Deadline for Citizens Petitions January 4, 2010
Chairman Jeannotte announced this deadline.

H1N1 Vaccine Clinics
Chairman Jeannotte announced that there will be 2 H1N1 Flu vaccine clinics at the Chelmsford Senior Center. The clinic for January 7, 2010 is for residents 18 years of age and older, and will run from 3-7PM. The clinic for January 14, 2010 will be for children up to 18 years of age, and will run from 3-5PM.

Open Session
Rosie Gauthier, Rosie's Diner in North Chelmsford explained she was told to appear at this meeting for a request for additional seating. She will submit plans, and Mr. Cohen will review parking. Chairman Jeannotte suggested that she submit her application for the January 11, 2010 meeting.

Committee Vacancies
Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office. Three inquiries have been received to date for the Census Committee; Mr. Cohen would like to appoint this committee by January 11, 2010. Two more applicants are requested for this committee.

BOS Meeting Minutes
BOS Regular Meeting Minutes October 5, 2009
Motion: by Selectman Wojtas to approve the Regular Meeting Minutes of October 5, 2009, as amended. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes October 26, 2009
Motion: by Selectman Wojtas to approve the Regular Meeting Minutes of October 26, 2009, as amended. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes November 9, 2009

Motion: by Selectman Wojtas to approve the Regular Meeting Minutes of November 9, 2009, as amended. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Public Input Session Minutes November 16, 2009
Motion: by Selectman Wojtas to approve the Public Input Session Minutes of November 16, 2009, as amended. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes November 23, 2009
Motion: by Selectman Wojtas to approve the Regular Meeting Minutes of November 23, 2009 as amended. Seconded by Selectman Dahlberg. Selectman Scanlon abstained, all others in favor. Motion carries.

Unscheduled Business
Vote to Post the Warrant for the January 19th State Election

Motion: by Selectman Wojtas to post the warrant for the Special State Election to be held on January 19, 2010 from 7AM-8PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Appointments

Recycling Committee
Motion: by Selectman Wojtas to approve the Town Manager's appointment of Jeanette Moreau to the Recycling Committee, for a term to expire on June 30, 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Cultural Council
Motion: by Selectman Wojtas to approve the Town Manager's appointment of Carol Roche to the Cultural Council, for a term to expire on June 30, 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Bid Award
Town Halls Feasibility Study
Mr. Cohen explained that this study would be funded from the CPC's Administration Account. The firm of Kang Associates of Sudbury was chosen because of their experience with historical buildings. Mr. Cohen noted that the Town Halls Utilization Committee was charged with determining the operating costs of both Town Hall buildings, where the feasibility study will determine the capital costs of restoring both buildings.

Chairman Jeannotte asked that the Board formally accept the report submitted by the Town Halls Utilization Study Committee.

Motion: by Selectmen Dixon to accept the report and recommendations of the Town Halls Utilization Study Committee. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve the contract award to Kang Associates of Sudbury, Mass. for the feasibility study pertaining to the Center Town Hall and the North Town Hall buildings, not to exceed $14,000.00. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Center School Gas Fired Condensing Boilers
The budgeted amount for this project was $40,000.00

Motion: by Selectman Wojtas to approve the bid award to Ansyris Group of Billerica, Mass. for the installation of the gas fired condensing boilers at the Center School in the amount of $34,444.00. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Scheduled Business:
Apriles European Restaurant-Common Victualer, /All Alcohol License Public Hearing
Atty. Christopher Gordon spoke for the applicant, Edward C. Aprile, President of Aprile, LLC. This will be a new restaurant in the same space that used to be Bainbridge's Restaurant. A layout was provided, the applicant plans to do some renovations to the bar and kitchen areas. Mr. Aprile owns other restaurants in Stoneham and Boston. No incidents or outstanding issues were noted with the application. Mr. Cohen advised that the Fire Department, Building Dept., Board of Health and Community Development office have no concerns. The restaurant will be subject to final inspections by all relevant departments. Most of the staff will be TIPS certified; all CORI checks have come back with no concerns. Mr. Aprile hopes to open the restaurant by April 1, 2010. Chairman Jeannotte advised the Board has a two week waiting policy before issuing this type of license. No comments from the audience. No further questions from the Board.

Motion: by Selectman Wojtas to close the Public Hearing. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Café Madrid-Increase in Seating
Atty. Angelique Eliopoulos spoke on behalf of the applicant. The Planning Board has approved the request for an increase in seating from 60 to 85 seats and all leased parking space issues have been finalized.

Motion: by Selectman Wojtas to approve an increase in seating on the All Alcoholic Restaurant License of the Home of the Famous Cuban LLC, d/b/a Café Madrid, from 60 seats to 85 seats, including 10 outside seats to be exercised on the premises at 116 Chelmsford St., Unit 6.. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Burger King, Change of Manager
Notification of the change of Manager for Burger King from Debbie Mock to Mel Moundele was provided for the new license application. No action was required by the Board.

JM Auto Sales-Application for Class II Dealers License, 118 Gorham St.
Atty. Philip Eliopoulos spoke on behalf of the applicant, John Mahoney. The prior license was turned into the Town in September. The lot will still have a parking plan for up to 50 cars, as has been the situation since 1975. Mr. Cohen noted that the Fire Dept., Building Dept., and Police Dept. have no concerns.

Motion: by Selectman Wojtas to approve a Class II Dealers License to JM Auto Sales of Chelmsford, Inc. to be exercised on the premises at 118 Gorham St., with up to 50 cars for sale. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Center Brickhouse Pizza, Extension of Hours

Mike Brown requested an extension of the restaurant's hours from 1AM to 2AM on December 31, 2009. There will be no change in capacity. Police Chief Murphy has requested a detail officer be present from 10PM-2AM. Selectman Wojtas noted that the Thanksgiving event went well, but that the Fire Department reported excess capacity in the tent. She requested adequate monitoring to ensure this does not happen again. Mr. Brown explained that he has two door people to monitor the capacity issue.

Motion: by Selectman Wojtas to allow an extension of hours for the Center Brickhouse Pizzeria from 1AM to 2AM on December 31, 2009. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Center Water District Land Swap Update
Mr. Cohen explained this land swap was approved at Fall Town Meeting, and the Conservation Commission unanimously supports it. Town Counsel has been working with the Water District's counsel on the next step of the Chapter 97 process to draft the Home Rule Legislation Petition document to be submitted to the State. This could be approved by July, 2010.

Tax Classification-Continuation of Public Hearing
Mr. Cohen announced that this hearing will need to be closed and a new hearing will be opened for the January 11, 2010 meeting, at which time the Board will cast their vote. Preliminary Certification was received and approved earlier this afternoon. Advertisements are pending in local newspapers that the data is now available to the public on the Town's website, public libraries and the Assessor's office. Any concerns can be addressed or corrected through the Assessor's office. Tax bills will be mailed in the third week of January.

Motion: by Selectman Wojtas to close the Public Hearing. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to invoke provisions under MGL Chapter 183 to allow additional time for the mailing of Third Quarter Property Tax Bills until January 30, 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Powers and Sullivan Review of Audit Report for Fiscal 2009
Mr. Sullivan gave an overview of the audit process, including internal reporting, external reporting, and financial statements. In reviewing cash, receivables, accruals, liabilities and debt, no issues were found; proper controls are in place and working well. The audit noted three items of concern. The first involves the funding of retiree benefits and pensions as not being sufficient. The Town should be putting aside $8.9 million annually. Wellesley is addressing this through a Trust and an override. The second area involved accounting for stimulus funding for the schools. And the third area involved a General Fund decrease, which went into the Stabilization Fund. Overall budget to actual figures were better than expected, which was better than other communities experienced. Fourteen points were addressed in the Management letter, eight of which have been resolved. Three are pending completion, and three new points were added. Mr. Sullivan felt the finance and management teams were well prepared and easy to work with, issues are being addressed as they come up.

Town Manager Reports
Goals Update

Mr. Cohen reviewed the Board of Selectmen and Town Manager FY10 Goals, and provided a progress report on what had been completed and what was still being worked on. The six areas covered were Economic Development, Affordable Housing, Environmental Sustainability, Financial Relief and Sustainability Planning, Community Engagement and Communications, and Long Term Capital Planning. The Permanent Building Report draft could be ready by January, and will detail building systems and needs. An application has been submitted to the state for a waiver for the Library.

Budget Update
Mr. Cohen anticipates cuts to local aid in response to the State's growing $3 billion structural deficit. Information will be provided as it becomes available.

Capital Budget Update
A list of 24 items was provided for the Board's review. The Fire Department and DPW plans were not included in this list. A letter from Daigle Engineers was also provided, which indicated 6 areas of the Center Fire Station floor that would require immediate attention. The floor will also be inspected every six months. The temporary repairs will be funded out of the facilities budget.

Street Light Maintenance
The current contract for street light maintenance will expire at the end of December. Mr. Cohen and Mr. Persechetti have reached an agreement with the DPW's union to allow this maintenance to be done in-house. If this method becomes impractical, Mr. Cohen agreed to look into finding a new vendor. Street lights usually last about 10-15 years. Residents were encouraged to call if there was an issue with a light.

Green Community Designation-Adoption of Building Energy "Stretch" Code
Mr. Cohen explained "stretch code" is an alternative energy building code used as a way to achieve energy cost savings. A formal presentation will be done in January or February. This is one part of five requirements for a community to qualify as a "green community".

Other Reports
The Mass Historic Commission has recognized the Middlesex Canal District as a historic location, and is being listed in the National Registry of Historic Places.

Mr. Cohen received a letter from the Nashoba Valley Technical School District advising their transportation reimbursement from the State is being cut by 71%, or over $400,000.00 which they will make up for with their reserve funds. They asked the town to be cognizant of this development when discussing future budgets.

Unscheduled Business:
Selectman Wojtas reviewed a packet of information from the Governor's office regarding cost cutting measures to help communities during the current economic downturn. Additional items being looked at include holidays, tax holidays, State Police equipment surcharge, sales tax values of used cars, excise tax structure, education reform and Charter school funding.

MMA Legislative Agenda
Five proposed reforms include empowering cities and towns to modernize their health insurance plans outside of collective bargaining, reforming the Quinn Bill to stop a new unfunded mandate

on communities, ending the tax loophole on telecommunications equipment, fixing the flaws in charter school funding and extending the pension funding schedules. The Board did not wish to take further positions on any items at this time.

Housing Committee
An updated draft of the mission and goals statement documents for the Affordable Housing and Housing Committees was provided for review. Several members voiced concern that the housing committee would be redundant, overlapping the jurisdiction or duplicating the efforts of other Town departments. Chairman Jeannotte suggested getting input from other departments and boards on what the purpose of the committee should be.

Selectman Referrals:

Selectman Dahlberg reported that the Zoning Board of Appeals hearing regarding 12 Stedman St. has been continued until January 14, 2010. The Board heard testimony from the property owner and the public. Mr. O'Brien is to submit plans.

Selectman Wojtas:
The fundraising event held in honor of Mr. Dave Tousignant was very well attended. The new wrestling mat was dedicated at the High School.

The latest Greener Chelmsford Initiative Gold award recipient is Chelmsford Copy and Secretarial Services. More awards will be announced in the future.

The Military Community Covenant has been signed. The next step is to create a mission statement and guidelines, which is being determined.

Selectman Dixon:
The tribute to Mr. Tousignant was very well done.

Selectman Dixon wished everyone a Merry Christmas and a Happy New Year, and asked for residents to lend a hand anywhere for the New Year.

Selectman Scanlon:

The Military Covenant signing is complete, and he is looking forward to establishing the group and working with family coordinators.

The Economic Development Committee is determining what types of business to attract to the Town. A business specific website will be designed, with a link from the existing Town website. Selectman Dahlberg suggested the new website feature the latest community development brochure.

Chairman Jeannotte:
Chairman Jeannotte thanked Selectmen Wojtas and Scanlon for their work on the Military Community Covenant.

Mr. Cohen was asked to coordinate a date for the Leadership Meeting in January.

The luncheon sponsored by State Representatives Golden and Arciero provided an opportunity to discuss the need for improvements at Parkhurst Rd. and Smith St. Dr. Yeoman and Angelo Taranto were able to discuss the funding mandates and requirements of the School Department.

Residents were wished a Merry Christmas and a Happy New year.

Press Questions
No press questions were asked at this time.

Executive Session
Not needed this evening.

Next Regular Meeting: January 11, 2010

Motion: by Selectman Wojtas to adjourn. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Meeting adjourned at 10:10PM.

Respectfully Submitted,
Vivian Merrill
Recording Secretary

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, December 7, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd.

Street Address

Elizabeth H. Delaney

Town Clerk's Signature

T. Lyons 9/23/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Continuation Tax Classification

Name Of Department or Board: Board of Selectmen Public Hearing

Date of Meeting: Monday, December 14, 2009 **Time:** 6:30pm

Location: School Admin Building Room Number: Conference

Name of Building

230 North Road

Street Address

Elizabeth T. Delmey

Town Clerk's Signature

T. Cyr 12/8/09

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Tri-Board Budget

Name Of Department or Board: Board of Selectmen Meeting

Date of Meeting: Monday, December 14, 2015 **Time:** 7:00 PM

Location: School Administration Building Room Number: Conference

Name of Building

230 North Road

Street Address

Town Clerk's Signature

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, December 21, 2009 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd.

Street Address

Elizabeth H. Delaney T. Green 9/23/09

Town Clerk's Signature Clerk/Bd. Member & Date

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
January 11, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements
- **Winterfest 2010**

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. **The European Restaurant – Continuation of Public Hearing All Alcohol License**

7:32 p.m. **Encroachment Agreement – 20-28 Vinal Square**

7:35 p.m. **Harvard Vanguard – PILOT Agreement**

7: 40 p.m. **Veneto Restaurant – Common Victualer, New Owner**

7:45 p.m. **Café Madrid – Public Hearing, Alteration / Increase in Premises**

7:50 p.m. **John Sousa – Approval of MWPAT Interim Loan Documents**

8:00 p.m. **Tax Classification Public Hearing**

8:30 p.m. **Westland's Place – Glenn Kohl**

Town Manager Reports
- Citizen Petition Warrant Articles

Town Manager Appointments
- Census Count Committee
- Open Space/ Recreation Plan Committee

***** This meeting is televised. *****

Unscheduled Business

Action Items:

- Community Covenant Task Force
- Town's voting delegate for MIIA Annual Meeting
- Vote on MMA Proposed Resolutions
- Vote on Kate's Corner Stop Signs

Discussion Items:

- Schedule Facilities Work Session

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: January 25, 2010

APPROVED 3/8/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting Minutes
January 11, 2010

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
Paul Cohen, Town Manager

Not Present:
George Dixon, Jr., Selectman

Chairman Jeannotte called the meeting to order at 7:02PM.

Public Service Announcements
Winterfest
Trish Dzuris and Jeanne Parziale announced that Winterfest would begin on February 5, and end on February 7, 2010. A schedule of events was provided; residents were encouraged to see the webpage at www.chelmsfordlibrary.org for updated listings.

Community Block Grant
Selectman Wojtas announced that the Public Hearing for the Community Block Grant was being held on January 26, 2010 at 7pm at the Senior Center. All interested applicants should attend this hearing, as the Community Development Office is trying to determine the need for home improvement assistance under this grant program.

Chelmsford Parade Committee
Jeff Hardy spoke on behalf of the Chelmsford Parade Committee to announce the showing of the Great American Fourth of July video to be shown at 7PM on January 23, 2010. The program will air on Chelmsford Cable on January 30, 2010.

The application deadline for Chelmsford Stars Come Fourth is April 23, 2010. More information will be coming; the event is currently scheduled for May 20, 2010.

Residents were reminded that the July 4th Parade will actually be held on July 5th. The Committee is looking for participants.

League of Women Voters Event
Chairman Jeannotte announced that the League of Women Voters is holding an event at the Police Station on January 27, 2010 where residents can speak with legislators regarding concerns they have.

Special Election

Mr. Cohen reminded residents that the deadline for absentee voting for the Special Election on January 19, 2010 is this Friday, January 15, 2010.

Open Session
Alisa Nakashian-Holsberg of Westford spoke on behalf of the Rt. 40 Clean Air Coalition to advise that Chelmsford Town Boards such as the Board of Selectmen and the Board of Health could apply for intervener status in the DEP appeal of the proposed asphalt plant in Westford. This application would need to be done by January 19, 2010. A pre-hearing was being held in Boston on January 20, 2010. If the pre-hearing is successful, the full hearing is scheduled for April 6, 2010. Many residents in both towns are opposed to the plant, while Westford's Board of Health and the Planning Board are still evaluating the proposal. Many reports are available on their website at www.route40cleanair.info .

Marie Burnham, 255 Groton Rd. reiterated Ms. Nakashian-Holsberg's request for support to oppose the asphalt plant.

Committee Vacancies
Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office.

The European Restaurant- All Alcohol License
Atty. Christopher Gordon spoke on behalf of the applicant, who was also present. Selectman Wojtas reminded the applicant that TIPS certification must be renewed every three years.

Motion: by Selectman Wojtas to approve an All Alcoholic License to Aprile's European Restaurant LLC, d/b/a Aprile's European Restaurant, with a seating capacity of 438, to be exercised on the premises at 75 Princeton St., contingent on final inspections from the Building Dept., the Board of Health, the Planning Board and the Fire Prevention Office and an updated TIPS Certification. The motion is further made to include and Entertainment License for televisions, live and recorded music. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Encroachment Agreement-20-28 Vinal Square
Mr. Cohen explained that the Town owns a parking area on Wotton St., on which a loading dock attached to 20-28 Vinal square sits. New owners are buying the property, and so a new encroachment agreement is needed. The new agreement has been reviewed by Town Counsel, and the new owners are in agreement to the changes. An address for the new owners will be added to the current document.

Motion: by Selectman Wojtas to approve the revised encroachment agreement between the Town of Chelmsford and RSF Properties, LLC as amended. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Harvard Vanguard-PILOT Agreement
John Sousa, Treasurer, and Margi Byrnes, Site Administrator for Harvard Vanguard were present to finalize a ten year PILOT agreement between the Town and Harvard Vanguard for payments to be made in lieu of taxes. In order to make the community aware of Harvard-Vanguard's contribution to the Town, Ms. Byrnes presented the first payment of $40,000.00 to Mr. Sousa.

Subsequent annual payments will be increased by 1.5%/year. The company currently employs over 400 people, and as a non-profit organization, is not subject to property tax payments.

Motion: by Selectman Wojtas to approve the PILOT Agreement between the Town of Chelmsford and Harvard-Vanguard Medical Associates, Inc. as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Veneto Restaurant-Common Victualer, New Owner
Arsen Karagenzian was present for questions. He recently took over this restaurant on January 10, 2010. A floor plan has been submitted, and the Board of Health's final approval is pending. The restaurant will have 28 seats, not 32.

Motion: by Selectman Wojtas to approve the Common Victualer License to Arsen Karagenzian for Vento Ristorante at 17 Vinal Square for 28 seats contingent upon final approval from the Board of Health. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Café Madrid-Public Hearing, Alteration/Increase in Premises
The applicant has requested continuance until January 25, 2010, pending resolution of Planning Board issues.

Since this was an advertised public hearing, Chairman Jeannotte asked if anyone wished to speak for or against the application. No one came forward.

Motion: by Selectman Wojtas to continue the Public Hearing for a request by Café Madrid for Alteration/Increase in Premises to January 25, 2010 at 7:45PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

John Sousa-Approval of MWPAT Interim Loan Documents
Mr. Sousa provided the bond funding request information for the sewer installation for Moore St & Ledge Rd. The interest rate for the bonds is .28%, and there is an opportunity for up to 8% principal forgiveness, which will save $1.1 million over time.

Motion: by Selectman Wojtas to approve the following:

1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed $6,179,624.00 (the "Bonds") pursuant to Chapter 29C and 44 of the General Laws and a vote of the Town passed June 12, 2008 (Article 1), which authorized a total borrowing of $16,000,000.00 for construction of sewers and other water pollution control facilities (the "Project");

2) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed $6,179,624.00;

3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust (the "Trust") at a price determined pursuant to the Loan Agreement;

4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Loan

Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes;

5) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and

6) that the Treasurer and other appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreement(s) and the Project Regulatory Agreement(s) relating to the Project.

Seconded by Selectman Dahlberg. Motion carries, unanimous.

Westlands Place-Glenn Kohl
Mr. Kohl was present to speak on his own behalf, and asked to withdraw his application without prejudice while engineering issues are resolved. Mr. Kohl further requested the Board to waive the $1000.00 filing fee when the project LIP application for Comprehensive Permit is re-applied for. Mr. Cohen advised that the Board can choose to wait to decide whether to waive any filing fees. Chairman Jeannotte advised the new application would be reviewed, if the project was the same, the Board could consider waiving the fee, but was under no obligation to do so. If the project was substantially changed, the fee would not be waived.

Motion: by Selectman Wojtas to accept the withdrawal of the Westlands Place LIP Application with the potential to waive the $1000.00 application fee if the project is submitted again as the same project. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Reports
Citizen Petition Warrant Articles
Mr. Cohen advised the Board that one Citizen's Petition Warrant Article was received for presentation at Spring Town Meeting.

Town Manager Appointments
Census Count Committee
Mr. Cohen explained that the Open House event for the Census occurred in Lowell today. Census forms are being mailed in Mid-March, to be returned in April. Residents were reminded that data provided in the 10 question form remains confidential for 72 years. Obtaining a complete and accurate count is essential for proper state representation, congressional seats, district maps, and for the determination of state and local aid. This committee will meet for 3 months.

Motion: by Selectman Dahlberg to approve the Town Manager's appointment of Pat Wojtas, Timothy McIlvenna, and Mike Rigney to the Census Count Committee, for a term to expire on June 30, 2010. Seconded by Selectman Scanlon. Motion carries, unanimous.

Open Space/Recreation Plan Committee

Motion: by Selectman Wojtas to approve the Town Manager's appointment of Erik Merrill to the Open Space and Recreation Plan Committee, for a term to expire on June 30, 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Tax Classification Public Hearing
Frank Reen provided a review of the presentation given in the prior hearing. The Town has now received preliminary certification of the new property tax rates, valuations have been published, and residents have two weeks to respond with any questions. The abatement process is separate and can still be applied for. Selectman Wojtas asked if many questions were received, Mr. Reen answered maybe 5 people came forward. The deadline for filing an abatement is 30 days from when the tax bill is mailed.

Motion: by Selectman Wojtas to retain a single tax rate and to retain all current exemptions. Seconded by Selectman Dahlberg. Motion carries, unanimous.

In response to a citizen's request that Board members explain their vote each member responded individually. Selectman Wojtas explained that most businesses in town are small businesses. There are not enough large businesses in town to justify a shift in tax burden, especially when the Town is actively trying to attract new businesses. Selectman Dahlberg agreed, and stated that Chelmsford was ranked 19th in a survey of firms as a good place to do business, and feels a single tax rate would attract more businesses. Selectman Scanlon believes it is fair to keep a single tax rate. Chairman Jeannotte reiterated that no additional revenue is brought to the Town by splitting the rate. The Assessors have done their work well, and in compliance with state regulations. The Town would need a larger commercial base in order to make a split rate function adequately and fairly.

Unscheduled Business:
Community Covenant Task Force
Selectman Wojtas announced that applications for the Military Covenant Task Force will be accepted through February 1, 2010. The Task Force will be comprised of seven members to include one veteran, one active military person, one member of the local business community, a member of the Board of Selectmen, and 3 other members. The group will coordinate volunteers who wish to support military families, and will offer advice and support to other communities who wish to establish their own covenant.

Motion: by Selectman Wojtas to accept the mission and composition of the Military Community Covenant Task Force. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town's Voting Delegate for MIIA Annual Meeting
Chairman Jeannotte designated Selectman Wojtas to vote on the Board's behalf at the MIIA Annual Conference.

Vote on MMA Proposed Resolutions

Motion: by Selectman Wojtas to vote in favor of the Proposed Resolution for Action to Prevent Unfunded Mandates in the Police Career Incentive Pay Program, the Proposed Resolution Opposing Current and Future Unfunded Local Mandates, and the Proposed Resolution Calling for Health Insurance Plan Design Authority for Cities and Towns. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Vote on Kate's Corner Stop Signs
The Board was asked to formally approve placement of Stop Signs at Kate's Corner.

Motion: by Selectman Wojtas to approve stop signs for the corners of Common Rd. and Acton Rd., and Maple Rd. and Acton Rd. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Schedule Facilities Work Session
A work session with the Permanent Building Committee will be held Wednesday, January 13, 2010 at 5:30PM in Room 205 of the Town Hall.

Selectman Referrals:

Selectman Scanlon:
No referrals

Selectman Dahlberg:
No referrals.

Selectman Wojtas:
Selectman Wojtas wished to congratulate Ben Delikat for becoming an Eagle Scout.

Residents were reminded to vote in the January 19, 2010 Special Election.

Selectman Wojtas wished Selectman Dixon good health as he recovers from surgery.

Chairman Jeannotte:
The Town Halls Benefit Concert raised about $5,000.00.

Chairman Jeannotte asked if anything was being done in regard to the Lowell Sun article on a high tech growth district being proposed for several nearby towns. Mr. Cohen explained that he has been speaking with Jim Arciero, Andy Sheehan and DHCD on how Chelmsford can become included in the process.

Selectman Dahlberg requested an update on the 12 Stedman St. zoning issue. Mr. Cohen explained that the Board of Appeals will take this up at their meeting on January 14, 2009. A site visit was done with Mr. Belansky, Mr. Blake and Scott Hammond. Interpretive issues have been reviewed by Town Counsel.

Mr. Cohen reminded the public that nomination papers are available for interested candidates until February 16, 2010.

Press Questions
No press questions were asked at this time.

Executive Session
Not needed this evening.

Next Regular Meeting: January 25, 2010

Motion: by Selectman Wojtas to adjourn. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Meeting adjourned at 8:37PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

APPROVED 1/25/2010

Work Session Meeting MINUTES
January 13, 2010

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager

Also Present: John Sousa, Finance Director, Jim Pearson-DPW Director, Mike Curran, Deputy Chief, Fire Department, Gary Persichetti, Facilities Director, Patrick Maloney, former Chair, DPW/Fire Facilities Study and David Duane, Chair, Permanent Building Committee.

Chairman Jeannotte called the meeting to order at 5:35PM.

Citizen Appeal of DEP Conditional Air Permit:
Selectman Dahlberg summarized the events at the Board of Health meeting on January 12, 2010. Merle Adelman spoke to the Board of Health to request them to obtain intervener status for the DEP appeal hearing for the proposed asphalt plant in Westford. The Board of Health questioned the legality of being able to do this, but Town Counsel has advised that they may obtain intervener status for the hearing, and would have access to legal counsel. Mr. Cohen is reviewing potential conflicts of interest between the Towns with Town Counsel, and hoped to hear back by Thursday, January 14. The Board of Selectmen agreed that since they have opposed the plant previously, it was acceptable to take preliminary steps until more information is obtained. Mr. Cohen advised updated information would be presented at the January 25, 2010 meeting.

Motion: by Selectman Wojtas to request the Town Manager begin the process for the Board of Selectmen to file for Intervener Status in the appeal of the DEP conditional air permit for the proposed Westford asphalt plant, and that the Chairman of the Board has the authority to act on behalf of the Board, and for the Town Manager to obtain the opinion of the Board of Health to also apply for Intervener Status of the same appeal. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Facilities discussion:
Chairman Jeannotte explained that the purpose of tonight's session was to discuss the proposals put forth by the Town Manager to consider debt exemption questions for the April ballot for either or both the DPW facility and the center fire station. She suggested all present identify their perceptions of why the original DPW & Fire Department proposals (Total $25 million) failed at the ballot, to discuss other options to pursue and to decide how to pursue them with the voters.

Attendees felt the main reasons the questions failed at the ballot are as follows:

- The state of the economy in relation to increasing tax burdens, unemployment, personal income decreases, fixed income residents, and state funding cuts
- The location for the new Fire Station
- The perception of the voters that if the original proposal is voted down, the Town will come back with a less expensive solution, such as what occurred with the prior School Department projects. A perception that the designs were too extravagant
- The Board of Selectmen took too passive of a role in promoting the projects
- The split vote of support by the Board of Selectmen, Finance Committee and the Permanent Building Committee
- Neither the Fire Department nor the DPW have an advocacy group looking out for their interests, such as that of the Library or the schools.
- Last minute private mailings had misinformation
- The complexity of both projects made them difficult to understand
- Did not deliver an effective message of operational shortfalls
- Difficult to reach the average voter: did not attend the open houses for either location and presentations prior to the vote were very poorly attended
- Asking for both projects at the same time may have been too much; a no vote on one may have translated to no on both? The questions should be separated.
- Poor voter turnout for the election
- The Wilson St. location is too close to elderly housing
- Costs were too high; some voters really can't afford it
- Claims that the proposals were "no cost" since it would backfill expiring debt were resented
- Voter conditioning by past large projects
- Lack of understanding by the voter of what each department does
- A history of discontent with the Fire Department
- Perception of a "hidden agenda" ambulance operations
- Perceived lack of transparency in town government
- Perceived community apathy
- Lack of understanding of a debt exclusion
- Water district support for moving DPW operations was not stated; protection of the water wells should have been seized on by voters.
- Residents wanted the simple "can't we just fix the floor?" solution

Mr. Duane wondered how the residents could turn down a DPW solution of $13M v. over $30M in the future if we are unable to acquire this site. Where is the strategic thinking? Selectman Dixon supports both but felt the two projects need to be split apart and handled one at a time. Selectman Wojtas stated that voters expect us to be downsizing in this economy and perception was that we were expanding.

Mr. Maloney defended the 2 year study, asserting that the proposals had already been pared down, and would have provided each department with facilities comparable to what is enjoyed in other communities. The failure of the DPW proposal surprised many attendees. Mr. Cohen explained it would have been illegal for the Town to use town resources to promote the projects.

There was great support for both projects at Town Meeting, and frustration that the average voter did not ask for more information or even go to see either site. The presentation of both projects at the same time was supported by the low rates for borrowing available at that time. Selectman Wojtas was not convinced that the split votes of support by the Board affected voter opinion, as the 2008 override had unanimous support, and was still voted down. Mr. Maloney wished to see both projects returned for consideration by the voters, in a phased approach, as the needs of both departments are serious, and will not just go away if a proposal is rejected.

The revised proposals take a phased in approach, so that immediate needs can be addressed, and other needs can be considered over time. Selectman Dixon agreed the time for these projects is now, as in ten years, the schools will need major improvements. Selectman Jeannotte felt that any question brought back must be done with transparent information about the Town's needs for buildings for the next ten years. A long range facility plan should be presented, showing what else may be required that cannot be funded in the levy. Mr. Cohen noted that the lease for the Forum will expire in 2016, and a decision will be needed for the future purchase option of that facility. Current minor capital needs with the schools can be handled as capital expenses. The DPW & Fire station projects are too big for the capital budget, and are more appropriately funded as debt exclusions. Mr. Cohen provided information on the debt schedule for the next ten years, with and without the DPW at $5.0 million and Fire Station project at $4.5 million.

Mr. Maloney was willing to provide more in depth numbers and conceptual drawings of the Fire Station design within 30 days in order to get the projects considered for the April, 2010 ballot. Acquisition and minor renovation of the Alpha Rd. facility would be more straightforward and easier to prepare for consideration in the April election. Mr. Cohen reminded the Board that the Town Halls projects were also coming up for consideration very soon, and the Permanent Building Committee is working on that now. The Board was split when asked which project should be the priority if only one project were to be presented at a time. The Fire Department has immediate structural and public safety concerns; however the DPW has pending legal concerns that may force them to vacate Richardson Rd. quickly.

Mr. Cohen suggested pursuing one project this year, and the other next year. Mr. Cohen and Deputy Chief Curran agreed it would be extremely difficult to successfully complete designs for a smaller fire station project and promote the revised Fire Station project by the April election. Discussion of the safety concerns relative to the latest engineering report on the fire station floor was held. Mr. Persichetti and Mr. Maloney stated that with the completion of the recommended repairs, there could be 2-3 years life in that building before a new one was completed for use. Selectman Scanlon stated that his first priority is public safety, therefore the fire station needs should be addressed first. If the DPW were proposed first and passed, he was concerned that voters may not approve the second request in the following year.

Mr. Maloney asked for a sense of the Board as to whether there would be support for an April ballot question for DPW if the committee undertook the plan design in the next 30 days. Timing was discussed. Selectmen Dixon and Jeannotte indicated support, given the need to secure the site and building for the project to ever move forward. Selectmen Scanlon said no, and Selectmen Wojtas and Dahlberg stated that they would need to see what the revision was before deciding.

After much debate, it was decided that neither project would be considered in the April election, and that planning should go forward for smaller projects in a future election. Deputy Fire Cheif Curran agreed to start working on the engineer's recommendations for repairing the existing shoring for the Fire Station floor. Selectman Jeannotte asked for plans on how fire operations would continue if there were a need to close the station. The next inspection of the floor would occur in five months. Mr. Cohen advised he would start working on emergency contingency plans for both departments.

Other Business
The Board will be attending the Annual MMA meeting in Boston next week. Events and schedules were discussed.

Selectman Wojtas announced that the annual Nashoba Tech School Breakfast was being held on February 5, 2010.

Adjournment
Motion: by Selectman Wojtas to adjourn the meeting at 9:03PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Next Regular Meeting: January 25, 2010

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
January 25, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements

- **Winterfest 2010 – Diana Ryder, Chelmsford Senior Center Girl Scout Troop 215, Malt Shop**
- **Chelmsford Alumni Association Hall of Fame Banquet**

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. Chelmsford Public Library- One Day Beer & Wine License, 2/5/10

7:35 p.m. Senior Center - One Day Beer & Wine License, 2/6/10

7:38 p.m. St. John the Evangelist – One Day all Alcohol Licenses, 2/5/10 & 3/13/10

7: 40 p.m. St. Vartanantz - One Day Beer & Wine License, 2/13/10

7:45 p.m. Café Madrid – Continuation of Public Hearing

7:50 p.m. Class 2 Auto Dealers License - Ronnie's, Inc.

8:00 p.m. Aprile's European Restaurant – Pledge of All-Alcohol License

Town Manager Reports

- Healthy Communities
- Draft List of Town Meeting Warrant Articles

Town Manager Appointments

- Conservation Commission
- Deputy Constables
- Community Action Program Committee

BOS Meeting Minutes

- BOS Executive Session I Minutes – October 5, 2009
- BOS Executive Session II Minutes – October 5, 2009

***** This meeting is televised. *****

- BOS Work Session Minutes – October 19,2009
- BOS Executive Session Minutes – October 26, 2009
- BOS Work Session Minutes – November 30, 2009
- BOS Regular Meeting Minutes – December 7, 2009
- BOS Work Session Minutes – January 13, 2010

Unscheduled Business

- Report on January 13, 2010 Work Session
- Schedule Public Input Session

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: February 8, 2010

APPROVED 3/8/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting Minutes
January 25, 2010

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr., Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:06PM.

Public Service Announcements
Winterfest 2010-Girl Scout Troop 215, Malt Shop
Several Troop members invited the public to attend the Troop's Malt Shop at the Central Baptist Church on February 6, 2010, from 11AM-2PM.

Diana Ryder spoke on behalf of the Chelmsford Senior Center to invite the public to their Chowderfest on February 6, 2010 from noon-5PM.

Chelmsford Alumni association Hall of Fame Banquet
George Simonian announced that the banquet was being held on March 13, 2010 at the Nashua Radisson Hotel. Selectman Wojtas read the proclamation recognizing the newest inductees, which were listed in the announcement. Inductees will receive a framed copy of the proclamation, the original of which was accepted by Mr. Simonian.

Committee Vacancies
Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office.

Open Session
Jon Kurland, Precinct 5, requested the Board to consider putting the most recent DPW proposal on the April ballot. He felt this was an important opportunity as real estate and interest costs are down making it cost effective to make the move now, and voters should be given a chance to decide. Chairman Jeannotte explained that the Board's January 13, 2010 work session would be discussed later in the meeting.

Matthew Hanson explained he supports the new DPW proposal, and that it should be promoted for the April ballot.

Jim Pinder, 118 Robin Hill Rd. requested that the Board have a public session regarding plans to install a 21 space parking area at Sunny Meadow Farm. Neighbors were not notified that this was being discussed, and would like to have an opportunity to provide their input. Chairman Jeannotte explained that the proposal has been brought before the CPC as a funding source.

There would be ample opportunities for the neighborhood to voice concerns before the Planning Board and the Conservation Commission, and they would be formally notified.

Peggy Dunn, Precinct 1, asked the Board to bring the DPW proposal forward, as the DPW needs to leave their Richardson Rd location to avoid further issues with the North Water District. The independent group's lies and exaggerations before the last vote were not rebutted, and should have been.

Pam Armstrong, Precinct 3 agreed that the DPW needs to be removed from the aquifer, and she supported obtaining the new building and land now, and work over time to get the facility moved in.

Jim Murphy, Chelmsford Police Chief, announced that crime mapping can be seen by going to www.crimereports.com. He feels this is a tool to encourage awareness, including sex offender information. He thanked the Chelmsford Police Foundation for their support in making this possible.

Mike Combs, 10 Fuller Rd. explained he would like the opportunity to vote on the DPW proposal; the land and building are available at a bargain price.

Donald Van Dyne, 29 Brentwood Rd. encouraged the Board to make a motion tonight to bring the DPW proposal to the ballot in April.

Frances MacDougall, Precinct 1 noted that the DPW is a hard working group, and the proposal should be brought before voters.

Pat Magnell, Precinct 3 expects good value for her money as a taxpayer, and felt the DPW proposal is an economic and creative solution.

Bruce Clark, North Chelmsford Water District attended several meetings regarding the DPW and Fire Station proposals and felt the voters did not know the facts. Giving the voters a second try is not uncommon, and this opportunity should be taken advantage of. Mr. Clark suggested that a lease deal, similar to what was done in Burlington may be an option for the Fire Department.

Chelmsford Public Library-One Day Beer and Wine License, February 5, 2010
Kathy Cryan-Hicks explained the Library is hosting a Winterfest & One Book Chelmsford Kickoff event on February 5, 2010 entitled "Sweet Suspense and Lethal Libations". She provided a partial listing of vendors participating in the event, and provided additional flyers for anyone interested. The event begins at 7:30PM, and will cost $10.00 admission.

Motion: by Selectman Wojtas to approve a One Day Beer and Wine License to the Chelmsford Public Library for February 5, 2010, from 7:00-10:00PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Chelmsford Senior Center-One Day Beer and Wine License, February 6, 2010
Jeanne Parziale explained the Winterfest's "For the Health of It" event would include light refreshments, beer and wine. The event has a $10.00 admission cost, and will begin at 7PM.

Motion: by Selectman Wojtas to approve a One Day Beer and Wine License to the Town Manager's Office for February 6, 2010 at the Senior Center. Seconded by Selectman Dahlberg. Motion carries, unanimous.

St. John the Evangelist-One Day All Alcohol License-February 5, 2010 and March 13, 2010
Jane Sockey, 5 Jefferson Dr., Tyngsboro is requesting one license for a Mardi Gras style dinner being held from 6PM-11PM, in appreciation for volunteers of the church. Expected attendance is about 240 people. The second event is a St. Patrick's Day dinner, Dance and Raffle, which will be held from 6:30-11PM.

Motion: by Selectman Wojtas to approve two one-day All Alcoholic Licenses to St. John the Evangelist Church for February 5, 2010 and March 13, 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

St. Vartanantz-One Day Beer & Wine License, February 13, 2010
Aran Peretzian explained their event was a church party for approximately 100 attendees, from 6PM to midnight.

Motion: by Selectman Wojtas to approve a One Day Beer & Wine License to St. Vartanantz Armenian Church for February 13, 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Café Madrid-Public Hearing, Alteration/Increase in Premises, Continuation of Public Hearing
Atty. Philip Eliopoulos spoke on behalf of the applicant. The revised parking plan has been submitted and approved. The current license is to be increased from 85 to 100 seats.

Motion: by Selectman Wojtas to approve the request for Increase/Alteration of Premises for Café Madrid for capacity of 100 seats, contingent upon approval of Board of Health, Planning Board, and Fire Prevention. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Class 2 Auto Dealers License-Ronnie's, Inc.
Atty. Philip Nyman and Atty. Philip Eliopoulos spoke for the applicant, Ronnie Pare. The present owner at 118 Gorham St. is going out of business. Mr. Pare owns the property next to it, and is willing to buy the parcel contingent upon approval of this license. The new license will have the same conditions as the prior license.

Motion: by Selectman Wojtas to approve a Class II Auto Dealers License to Ronnie's Garage at 118 Gorham St., for up to 50 cars for sale. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Aprile's European Restaurant-Pledge of All Alcohol License
Atty. Christopher Gordon spoke on behalf of the applicant. The bank giving the loan to Mr. Aprile is requiring a Liquor License Pledge Agreement as a condition of the loan.

Motion: by Selectman Wojtas to approve a Common Victualers License and approval of the Pledge of Liquor License, as presented, for Aprile's European Restaurant, to be exercised at 75 Princeton St., North Chelmsford. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Reports
Healthy Communities
Jeanne Parziale explained this program connects people and resources on a wide range of local issues that affect health and quality of life. Several communities will be involved in this program, which meets monthly. Interested residents can contact her for more information. A website will be developed, www.healthychelmsford.us.

Draft List of Town Meeting Warrant Articles
The current warrant has 25 articles; a draft warrant should be ready by the next meeting.

Other Reports
Mr. Cohen reported that motor vehicle excise tax bills had been sent out; and property tax bills will be sent out by the end of the month.

Mr. Cohen read a letter from Betty Delaney, Town Clerk, thanking everyone who assisted with the last election. Members of several other departments came forward to assist, as in addition to the election, dog licenses, census forms, and nomination papers were coming in and there was an increase in absentee voters.

Mr. Cohen noted that the Appellate Tax Board accepted the Town's evaluation of the Mobile Home Park. The ATB noted that the Assessor's office assessed all property at 100% fair market value, and that no tax bills can be issued without state approval. The Town cannot decide who is eligible for tax breaks, and any credits are determined by state legislature. The appellate tax board stood by the Town's decision that the mobile home park was taxable, and they adjusted the property value accordingly. The park owner can appeal the decision.

Governor Patrick has announced that local aid will be level funded. His state budget will be released on January 27, 2010. A tri-board meeting is scheduled for January 28, 2010.

Town Manager Appointments
Conservation Commission
Mr. Cohen explained that Bob Greenwood is stepping down from the Commission, and William Vines is interested in joining the Commission again.

Motion: by Selectman Wojtas to approve the Town Manager's appointment of William Vines to the Conservation Commission, for a term to expire on June 30, 2012. Seconded by Selectman Dahlberg. Motion carries, Selectman Scanlon not present, all others in favor.

Deputy Constables
Constable William Spence submitted a list of 6 approved individuals for appointment as Deputy Constables.

Motion: By Selectman Wojtas to approve appointments for the following individuals to serve as Deputy Constables:

John J. MacGilvray, 234 Main St., Chelmsford
Thomas J. Buntel, 188 Dunstable Rd., No. Chelmsford
Judith Goffin, 19 Cathy Rd., Chelmsford
Kieran Lennon, 5 June St., Dracut

Jean Blodgett, 190 Boston Rd., Chelmsford
John R. Pelletier, 186 Frost Rd, Unit 11, Tyngsboro

Seconded by Selectman Dahlberg. Motion carries, Selectman Scanlon not present, all others in favor.

Community Action Program Committee

Motion: by Selectman Wojtas to approve the Town Manager's appointment of Joanne Stanway to the Community Action Program Committee, for a term to expire on June 30, 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Meeting Minutes

BOS Executive Session I Minutes-October 5, 2009
Motion: By Selectman Wojtas to approve but not release the Executive Session I Minutes of October 5, 2009, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Executive Session II Minutes-October 5, 2009
Motion: By Selectman Wojtas to approve but not release the Executive Session II Minutes of October 5, 2009, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Work Session Minutes-October 19, 2009
Motion: By Selectman Wojtas to approve the Work Session Minutes of October 19, 2009, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Executive Session Minutes-October 26, 2009
Motion: By Selectman Wojtas to approve but not release the Executive Session Minutes of October 26, 2009, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Work Session Minutes-November 30, 2009
Motion: By Selectman Wojtas to approve the Work Session Minutes of November 30, 2009, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes-December 7, 2009
Motion: By Selectman Wojtas to approve the Regular Meeting Minutes of December 7, 2009, as amended. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Work Session Minutes-January 13, 2010
Motion: By Selectman Wojtas to approve the Work Session Minutes of January 13, 2010, as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Unscheduled Business:
Report on January 13, 2010 Work Session
Chairman Jeannotte opened the floor to additional comments from the audience at this time.

Bill Dalton, 12 Dartmouth St. explained he was disturbed to find out that after spending over two years doing research to find the best solutions for the DPW and the Fire Department, the Board rejected the new proposals again. He felt the 3-2 split vote of the Board in regard to the original

proposals hurt, as did the independent mailing that went out just prior to the election. Mr. Dalton was also aware that the schools should be OK for at least 10 years, the library and police department projects are done, and the Town Halls projects are now pending with the Community Preservation Committee. He feels these projects cannot be put off any longer, since structural issues were noted 22 years ago. Chairman Jeannotte explained that no vote was taken at the work session, the public deserves to know what happened, and that she has received some feedback as well. Mr. Dalton finished by saying he would like to see both projects done, but understands that the DPW proposal needs to be done first, due to concerns with the North Water District.

John Harrington, 149 Boston Rd. wished to inform the Board that the City of Lowell recently approved a beer and wine license for a gas station on Drum Hill Road which is located on the Lowell and Chelmsford line. He felt that since 40% of the building is in Chelmsford, the Town should have had input into whether to grant the license. Mr. Cohen knew some of the property was in Chelmsford, but did not believe the building was in Chelmsford. Mr. Cohen agreed to review the situation the Town Counsel to see if there was recourse available.

Motion: By Selectman Wojtas to draft a letter of opposition to the ABCC in regard to a beer & wine license issued to a business located on the Lowell/Chelmsford border. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Selectman Dahlberg agreed to draft a letter for the Board's review.

Evelyn Thoren, Precinct 5, reviewed issues she has witnessed in getting large Town projects approved, and encouraged the Board to allow these projects to come back for a second vote.

Chairman Jeannotte thanked everyone who came forward for their input. She provided a recap of who attended the work session, and what was discussed. She supports the reduced fire station proposal, which will be put to the voters in time, and supports going forward with DPW now, provided that the voters can be told what they are buying. Selectman Wojtas wished to make it clear that no vote was taken on this issue at the work session. Both facilities need something done, and she supports both proposals. She wished to clarify what the $5million would cover, and when the additional phases would come forward and how they would be implemented. Voters should be aware that more funding would be requested in the future to continue this proposal. Selectman Scanlon felt the voters will only accept one project at a time, and supports both projects. He also felt that public safety is a priority, and so the Fire Station proposal should be considered before the DPW. Selectman Dahlberg agreed something needs to be done, and liked the phased approach for both proposals. He would prefer to see a solid plan on how the phased approaches would work. He also recognized that residents want to re-visit the DPW proposal, and supports going forward with a second vote. Selectman Dixon believes in both projects, and that the DPW proposal is a good financial decision.

Motion: by Selectman Dixon to put a question on the April 2010 ballot to purchase the Old Mother Hubbard Building on Alpha Rd., and begin retrofitting for the DPW, in an amount not to exceed $5 million. Seconded by Selectman Dahlberg. Motion carries, unanimous.

The Permanent Building Committee will be advised to provide a detailed report on the timing and costs of the phased approach by February 22, 2010. Mr. Cohen explained the election would give authority for the exemption. Town Meeting would approve a new appropriation via a warrant article. Potential tax impacts for the avg. resident would be about $21.00 for FY2011,

$25.00 for FY2012, $49.00 for the next 2 years, and would decrease each year after that for the next 16 years. Future phases can be worked in as debt falls off. No Town resources can be used to promote the proposal.

Schedule Public Input Session
The next Public Input Session will be held on March 1, 2010, at 7PM, at the Chelmsford Senior Center.

Selectman Referrals:

Selectman Wojtas:
At the last NMCOG meeting, legislation was discussed, which would specify mutual aid guidelines and fees for DPW equipment. The practice is done informally at present.

The Board is recruiting volunteers for the Military Community Covenant Task Force, and would like to appoint that group in February.

The results of the resolutions voted on at the annual MMA meeting all passed. There was no debate regarding Quinn Bill funding and Health Insurance plan design. Unfunded Mandates were debated, and it was decided to oppose them in general, rather than list specific mandates.

Residents were reminded to attend the Public Input Session for the Community Development Block Grant on January 26, 2010 at the Senior Center, beginning at 7PM.

Selectman Dahlberg:
A subsequent hearing will be scheduled for the DEP appeal of the proposed asphalt plant in Westford. Selectman Dahlberg, Richard Day, and Town Counsel will continue to monitor the situation.

The Chelmsford Housing Authority will receive an award for their efforts under the Greener Chelmsford Initiative on Friday, January 29, 2010.

Selectman Scanlon:
Selectman Scanlon wished to remind residents that anyone can join the Military Community Covenant Task Force. No military affiliations are required, just a desire to help people.

Selectman Scanlon will be discussing a topic from the MMA meeting, "Unlocking a Creative Economy" with the Economic Development Committee at their next meeting.

Selectman Dixon:
Selectman Dixon wished to thank everyone who sent cards and well wishes while he recovered.

Bob Greenwood will be missed on the Conservation Commission. Bill Vines will be a great replacement.

Chairman Jeannotte:
Chairman Jeannotte announced that the premier of the July 4th video saw a full house, and that it would be shown on Channel 10 on January 30, 2010 from 9AM-9PM. DVD's of the show are available for a cost of $10.00

Residents were encouraged to attend the evening with legislators event being held on January 28 at the Police Station at 6:30PM. The event is being sponsored by the League of Women Voters.

More information will be forthcoming regarding the CPC articles on the Town Halls and Sunny Meadow Farm projects.

Linda Fall passed away on Sunday, January 24, 2010. She will be greatly missed.

Press Questions
Rita Savard of the Lowell Sun asked when the engineer's recommendations for work to the Center Fire Station would begin. Mr. Cohen explained the immediate work to address the shoring for the station floor began last Thursday, and would cost approximately $4600.00. More work could be done within a year once location, station size and other issues are worked out. The current temporary repairs could last up to two years, and engineering inspections will be performed every six months.

Chloe Gotsis, Chelmsford Independent, asked how the public could be educated regarding the DPW proposals. Mr. Cohen explained more open houses of the current facilities will be planned, and it may be possible to ask if residents could see the Alpha Rd. facility.

Executive Session

Motion: by Selectman Wojtas to enter into Executive Session, not to return to Regular Session, to discuss Strategy with respect to collective bargaining and to discuss Town Counsel Disclosure regarding Motion to Intervene. Seconded by Selectman Dahlberg.

Roll Call Vote:
Selectman Dixon: Aye
Selectman Dahlberg: Aye
Chairman Jeannotte: Aye
Selectman Wojtas: Aye
Selectman Scanlon: Aye

Motion carries.

Next Regular Meeting: February 8, 2010

Meeting adjourned at 10:10PM.

Respectfully Submitted,
Vivian Merrill
Recording Secretary

APPROVED & RELEASED
3/22/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Executive Session MINUTES
January 25, 2010

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte stated that the purpose of this executive session is two-fold: to discuss strategy with respect to collective bargaining and to discuss strategy with respect to litigation.

Mr. Cohen provided an update on his ongoing effort to reach agreement with town employee unions regarding health insurance. He stated that the unions remain adamant that they will not accept any agreement that does not include adoption of Section 19. He stated that it is his belief that negotiations are now effectively over because of the unions' position on this matter.

Selectman Dahlberg provided an update on the recent meeting at the state Department of Environmental Protection regarding the Intevener Status option to oppose the proposed asphalt plant in Westford. He stated that the meeting did not go well and that the attorney for the company seeking to build the plant "ripped apart" the arguments offered by residents in attendance. He stated that he is concerned that continued town involvement in this matter could expose the town to open-ended legal costs. Chairman Jeannotte and Selectman Wojtas agreed.

Motion by Selectman Wojtas to adjourn the Executive Session. Selectman Dahlberg seconded the motion.

Roll Call:
Selectman Wojtas: AYE
Chairman Jeannotte: AYE
Selectman Dahlberg: AYE
Selectman Dixon: AYE
Selectman Scanlon: AYE

Motion carries, unanimous. Executive Session adjourned at 10:50 PM.

Respectfully submitted,
Eric R. Dahlberg
Clerk

APPROVED & RELEASED
3/22/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

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Selectman Dahlberg provided an update on the recent meeting at the state Department of Environmental Protection regarding the Intevener Status option to oppose the proposed asphalt plant in Westford. He stated that the meeting did not go well and that the attorney for the company seeking to build the plant "ripped apart" the arguments offered by residents in attendance. He stated that he is concerned that continued town involvement in this matter could expose the town to open-ended legal costs. Chairman Jeannotte and Selectman Wojtas agreed.

Motion by Selectman Wojtas to adjourn the Executive Session. Selectman Dahlberg seconded the motion.

Roll Call:
Selectman Wojtas: AYE
Chairman Jeannotte: AYE
Selectman Dahlberg: AYE
Selectman Dixon: AYE
Selectman Scanlon: AYE

Motion carries, unanimous. Executive Session adjourned at 10:50 PM.

Respectfully submitted,
Eric R. Dahlberg
Clerk

APPROVED 3/22/2010

Town of Chelmsford
Board of Selectmen Minutes
School Administration Building
230 North Road
Chelmsford, MA 01824

Tri-Board Meeting Minutes
January 28, 2010

Attending

Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr., Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager
John Sousa, Town Treasurer
Darlene Lussier, Town Accountant

School Committee Members Present: Angelo Taranto, Chairman; Nicholas DeSilvio, Katherine Duffet; Kevin Porter; Evelyn Thoren

Finance Committee Members Present: Dwight Hayward, Jon Kurland, Dave Turocy, Mary Frantz, Donald Van Dyne, Vincent Villano, Timothy McIlvenna

School Department Members Present: Dr. Donald Yeoman, Superintendent; Robert Cruikshank, Business Manager; Frank Tiano, Assistant Superintendent

The meeting was called to order by Chairman Jeannotte at 7PM.

Mr. Cohen offered some introductory remarks and stated that the town's fiscal situation is better than was expected even a month earlier. The Governor has announced that he intends to level-fund local aid and Chapter 70. Level-funded local aid would mean that the town could maintain its current level of services for fiscal year 2011. Local receipts, while not increasing over last year, have remained at the same dollar level since last year.

Ms. Lussier presented an overview of where the expenditure side of the budget stands year-to-date. She reiterated Mr. Cohen's point that revenues overall are at the same dollar level as they were at this same point last year. She also noted that revenue generated by the newly imposed local options rooms and meals taxes is less than expected, and that local permitting revenue is down. Finally, she stated that unemployment benefits are significantly over-budget, and that snow and ice spending is in decent shape.

Mr. Sousa provided an overview of where the revenue side of the budget stands year-to-date. He provided status updates on revenue generated from property taxes, local aid, local receipts and available funds. He stated residents should be receiving their motor vehicle excise taxes sometime in the near future, and this is important, because January commitments are considered a bellwether for the year. Chairman Jeannotte asked if the

January commitment is high, could we expect to see an increase in revenues. Mr. Sousa stated that this may be the expectation during normal economic times, but not during the current recession. Chairman Jeannotte asked if Mr. Sousa's property tax revenue estimates exclude excluded debt. Mr. Sousa responded yes.

Mr. Cruikshank then provided an overview of the School Department's budget situation. He opened with a chronology of budget adjustments that the Department has made to cope with the ongoing fiscal crisis. Dr. Yeoman explained that significant cuts have been made several times in only the past three fiscal years.

Mr. Cohen closed the meeting by reiterating that, all things considered, things look a lot better than they did even one month ago when the three Boards met. Kathy Duffett of the School Committee said that she was pleasantly stunned. Chairman Jeannotte said that she feels relief more than happiness.

Motion: by Selectman Wojtas to adjourn to Executive Session with members of the School Committee for the purpose of discussing strategy with respect to collective bargaining. Seconded by Selectman Dahlberg.

Roll Call Vote:
Chairman Jeannotte: Aye
Selectman Wojtas: Aye
Selectman Dahlberg: Aye
Selectman Dixon: Aye
Selectman Scanlon: Aye

Motion carries.

Meeting Adjourned at 8:45PM, not to return to regular session.

Respectfully Submitted,
Vivian Merrill
Recording Secretary

APPROVED & RELEASED
3/22/2010

Town of Chelmsford
Board of Selectmen Minutes
School Administration Building
230 North Road
Chelmsford, MA 01824

Executive Session MINUTES
January 28, 2010

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
Sean Scanlon, Selectman
George Dixon, Jr, Selectman

Paul Cohen, Town Manager
John Sousa, Town Treasurer

Also present: members of the School Committee and Superintendent of Schools Dr. Don Yeoman and School Department Business Manager Bob Cruikshank.

Mr. Cohen stated that the purpose of this executive session is to discuss strategy with respect to collective bargaining, specifically to provide an update on the town's ongoing health insurance discussions with town employee unions.

He stated that it is his opinion that negotiations are "dead" for the time-being, because the unions have made it clear that they will not agree to any change in health benefits unless the town adopts Section 19, which the Board of Selectmen has made clear – on numerous occasions – that it will not do.

Chairman Jeannotte asked Mr. Cohen if the unions had explained why adoption of Section 19 was so important to them. Mr. Cohen stated that it is his belief that the unions consider it vital to their position and to any movement on health benefits.

Mr. Cohen, summarizing the situation, stated that, for the second consecutive year, despite good-faith efforts by the town, employee unions are unwilling to come to an agreement on health insurance.

Kathy Duffett of the School Committee stated that Mr. Cohen provided an accurate summary of what transpired during recent negotiating sessions with union representatives.

Motion by Selectman Wojtas to adjourn the Executive Session. Selectman Dahlberg seconded the motion.

Roll Call:
Selectman Wojtas: AYE
Chairman Jeannotte: AYE
Selectman Dahlberg: AYE
Selectman Dixon: AYE
Selectman Scanlon: AYE

Motion carries, unanimous. Executive Session adjourned at 9:35 PM.

Respectfully submitted,
Eric R. Dahlberg
Clerk

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, January 11, 2010 **Time:** 7:00 pm

Location: Town Offices (Name of Building) Room Number: 20

50 Pelham Rd (Street Address)

Elizabeth Delmey — Town Clerk's Signature

[illegible] 1/7/10 — Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen Work Session

Date of Meeting: Wed. January 13, 2010 **Time:** 5:30 pm

Location: Town Offices Room Number: 205

Name of Building

50 Billerica Rd.

Street Address

Elizabeth A. Delmey T. Lynn 1/11/10

Town Clerk's Signature Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, January 25 2016 **Time:** 7:00 pm

Location: Town Offices Name of Building Room Number: 204

4 Bellevue Rd Street Address

Elizabeth K. Delmey

Town Clerk's Signature

Clerk/Bd. Member & Date 1/15/16

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Joint w/ Finance & School Committee

Name Of Department or Board: Board of Selectmen

Date of Meeting: Thursday, January 28, 2010 **Time:** 7:00 pm

Location: School Administration Building Room Number: Conference

Name of Building

230 North Road

Street Address

Elizabeth H. Delmey

Town Clerk's Signature

1/22/10

Clerk/Bd. Member & Date

FEB 10

APPROVED 2/22/2010

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Saturday, February 6, 2010
Java Room
14 Littleton Rd.
Chelmsford, MA

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chairman
George Dixon, Selectman

Absent:
Eric Dahlberg, Clerk
Sean Scanlon, Selectman

11:30am
Chairman Jeannotte called the meeting to order.

One Day Beer and Wine license – Town Manager's office:
A recent broken pipe situation at the Senior Center has necessitated moving a Winterfest event to the Center Town Hall.

> **Motion:** by Selectman Wojtas to transfer the venue for a One Day beer and wine license issued to the Town Manager's office, from the Senior Center to the Center Town Hall. Selectman Dixon seconded the motion. Motion carried, 3-0.

Quinn Bill:
There was a brief discussion regarding the process of recovering payments made to Police Department patrolmen and superior officers under the state's Quinn Bill. A request was made for the Town Manager to clarify the timeline for the payments, and the expected recovery, as agreed to by contract.

DPW Facility update:
Chairman Jeannotte recapped the on-going discussions related to the proposed phasing of activities required to complete the relocation of DPW operations from Richardson Road to Alpha Road. It was requested that the Town Manager provide additional information regarding expected costs to acquire the building and property on Alpha Road.

Town Halls renovation:
Chairman Jeannotte provided a brief update on the status of the proposals to renovate North Town Hall and Center Town Hall. A detailed presentation will be given on

Tuesday, February 9, during the Permanent Building Committee meeting. Both proposals will be considered for funding by the Community Preservation Fund committee in March.

Adjournment:

Motion: by Selectman Wojtas to adjourn the meeting at 12:15PM. Selectman Dixon seconded the motion. Motion carried, 3-0.

Respectfully submitted,

Pat Wojtas, Vice Chairman of the Board of Selectmen

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
February 8, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements
- **Proclamation - W. Robert Greenwood**
- **Census Job Opportunities 2010**

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. **Dylan's Diner- Common Victualer License**

7:35 p.m. **Rosie's Diner – Alteration of Premises**

Town Manager Bid Award
- Solid Waste / Recycling

Town Manager Reports
- Alternative Energy/Stretch Building Code
- FY2011 Budget
- Draft Town Meeting Warrant

Town Manager Appointments
- Recycling Committee

Unscheduled Business
Discussion Items:
- Housing Advisory Board

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: February 22, 2010

***** This meeting is televised. *****

APPROVED 3/8/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting Minutes
February 8, 2010

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr., Selectman
Paul Cohen, Town Manager

Not Present: Sean Scanlon, Selectman

Chairman Jeannotte called the meeting to order at 7:05PM.

Public Service Announcements
Proclamation-W. Robert Greenwood
Proclamation was read by Selectman Wojtas, recognizing Mr. Greenwood for many years of service to the Town. Mr. Greenwood thanked the Board for his past appointments, saying he enjoyed his time. David McLachlan came forward to say he worked with Bob for 23 years, and the Town is well served by its volunteers.

Nomination Papers Deadline
Chairman Jeannotte reminded residents that the deadline for submitting nomination papers is 5PM on February 16, 2010. Twenty-five certified signatures are required for Town Meeting Representative nominations; anyone interested is qualified to run.

Senior Citizen Tax Credit Seminar
Chairman Jeannotte announced that Senator Fargo and Brian Lynch of the Department of Revenue will hold a seminar at the Senior Center on February 12, 2010 at 10:30AM to explain how this credit can be applied for.

Census Job Opportunities 2010
Selectman Wojtas announced that residents interested in applying for a census job can apply at www.2010censusjobs.gov, or by calling 1-866-861-2010. Training is paid, and positions are from 20-40 hours/week. Applicants would work in their community. An application, test and background check is completed. More information will be available over the next couple of months. Census information affects state and local aid, as well as state representation.

Open Session
Jim Pinder, 118 Robin Hill Rd. again requested that the Board have a public session regarding plans to install a 21 space parking area at Sunny Meadow Farm. The plans presented at a CPC meeting are not adequate, and this parking area appears excessive for a single family zoned area.

Chairman Jeannotte explained that the proposal has been brought before the CPC as they are a funding source. They have also asked for more information, which is pending. There would be

ample opportunities for the neighborhood to voice concerns before the Planning Board and the Conservation Commission, and they would be formally notified. When the farm was a horse farm, it had 17 parking spaces in this area.

Committee Vacancies
Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office. Selectman Wojtas advised that the application deadline for the Military Community Covenant Task Force is February 16, 2010. Selectman Dahlberg has received feedback from residents anxious to see this group become active.

Town Manager Appointments
Recycling Committee

Motion: by Selectman Wojtas to approve the Town Manager's appointment of Marion Hamblett to the Recycling Committee, for a term to expire on June 30, 2010. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Unscheduled Business:
Discussion: Housing Advisory Board
Selectman Wojtas presented a revised draft mission statement, which included input from other Boards and Community Development Director Evan Belansky. This group is to be appointed in April 2010.

Motion: by Selectman Wojtas to accept the description and mission statement of the Housing Advisory Committee and to begin accepting applications. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Dylan's Diner-Common Victualer License
Derek Bobola was present to answer questions. Mr. Bobola explained this used to be the Home Plate Diner. It would be open 6AM-2PM, and he hopes to open in 2 weeks. He will cook, and would have 2 part time waitresses. A corrected Workers Compensation Insurance certificate is pending, as is a Board of Health inspection being done on Thursday, February 11, 2010.

Motion: by Selectman Wojtas to approve a Common Victualer License to Dylan's Diner, 83 Parkhurst Rd., Unit 17, with a seating capacity of 45 to operate between the hours of 6AM-2PM, subject receipt of a Workers' Compensation Insurance Certificate and final Board of Health approval. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Rosie's Diner-Alteration of Premises
Rose Gauthier was present to answer questions. She is requesting to increase seating in the premises to 60. Parking is adequate in a shared lot; no Planning Board approval is required for this application. The updates should be completed in two weeks time.

Motion: by Selectman Wojtas to approve an Alteration of Premises with an increase in seating from 30 seats to a maximum of 68 seats for Rosie's Diner at 27 Vinal Square, with the same hours of operation, on its Common Victualer License. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Bid Award
Solid Waste/Recycling
Mr. Cohen explained that 5 bids were received. Qualifications were reviewed first, and then prices. This will be for separate three year contracts, one for Solid Waste pickup, and the other for Recycling pickup. The price ranges of both bids were listed, both winning bid companies have contracts in nearby communities. Collection days will remain the same and single stream recycling would be accepted with the new vendor. Tipping fees were reduced with the previously approved 5 year contract.

Motion: by Selectman Wojtas to approve the solid waste collection services contract to Allied Waste in the amount of $890,700.00 for the first year, with 3% increases per year for the second and third year. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve the recycling collection services contract to Integrated Paper Recyclers in the amount of $330,000.00 per year for each of three years. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Reports
Alternative Energy/Stretch Building Code
Marian Graham and Mike Barry explained how stretch building code works. Formally adopting this code is one of the five criteria needed to be designated a "green" community, and could be approved by Town Meeting. The other criteria are "as-of- right" siting, creation of an expedited permitting process, establishing an energy baseline for municipal buildings (completed in 7/09), and establishing a vehicle policy & plan for replacement (also completed). Obtaining this designation allows for additional grant opportunities. Mr. Barry explained that the updated codes are set to be adopted in 2012 and 2013, but communities can adopt them earlier if they desire. The new code requires Performance Rating Testing on new construction, building additions and renovations. Residential rehabilitation and alterations like roof replacement or those not requiring alteration to exterior walls are not subject to the new testing requirements. Energy Star has a program of incentives and rebates for using energy efficient materials in construction. The new code uses a Thermal Bypass Inspection Checklist, and inspections are done prior to issuing the occupancy permit. Training is being done throughout the state for builders, and there are various companies available to do the testing. Local building inspectors can become certified HERS raters, at a cost of approximately $1500.00 for training and equipment. A future presentation will be given at Town Meeting, and tonight's presentation will be made available online.

FY2011 Budget
Mr. Cohen presented a level service budget, which estimates a 5% reduction in state aid. The budget includes no additional staffing, other than $25,000.00 for lifeguards at Heart Pond and Freeman Lake. There will be no change in compensation for non-union employees, and no funding for collective bargaining contracts. Step increases will still be given where applicable. The capital budget will remain the same. Health insurance costs account for 10.74% of the entire budget. The Charter school has an 11% reimbursement compared to a 15.33% increase in assessment. The budget may be amended after the House approves the State budget. Final State Aid numbers and Health Insurance premiums are still unknown at this time. Mr. Cohen presented a 5-year history of revenues and expenditures, and noted the percentage changes. The Finance Committee is working on their hearings, and the School Committee will be before them on March 12, 2010. Local option taxes have been collected for 2 months, and are less than expected.

Draft Town Meeting Warrant
The current warrant could have up to 28 articles; a draft warrant showing precinct polling places, officers and positions being voted on, and the DPW facility question. Other topics for discussion at Town Meeting would include a report from the Permanent Building Committee, and a Master Plan Update. Unemployment is still high, overtime, retirements and sick time buyback and the legal budget are being monitored as Mr. Cohen prefers to avoid use of the stabilization fund in order to balance the budget.

Bids for billboards are due on February 19, 2010. Six companies attended the pre-bid conference.

Mass. Lottery Keno-to-Go Notification
Mr. Cohen advised no action was needed by the Board this evening; the standard 21 day period applies for any objections. Selectman Wojtas noted that the Board has typically denied full Keno licenses to convenience stores. Mike Kapud, owner of the Tedeschi's store in question, asked to address the Board, and explained that 50 agents were picked by the State Lottery Commission to obtain a 26" monitor for Keno. He is remodeling his store to offer more services, and lottery services are now going to be in a different section than the food services. Mr. Kapud said he needs to offer more services in order to stay in business. Mr. Cohen agreed to research the difference between this program and traditional Keno. Selectman Dixon asked what the policy was based on, as the store is already licensed for Keno-to-go. Selectman Wojtas explained the policy has been a traditional practice of prior Boards.

Motion: by Selectman Wojtas to authorize the Town Manager to research the new lottery program for Keno-to-go with a monitor in-store, to comply with the Board's policy, and to write a letter if needed. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Selectman Referrals:

Selectman Dixon:
Construction should begin on sound barriers for Rt. 3 in July 2010, and should take about nine months to complete.

Selectman Dahlberg:
A meeting is being held on February 12 in Carlisle for Cory Atkins' Municipal Advisory Committee, which Selectman Dahlberg will attend.

A resident asked about requiring photo identification at polling places. Town Clerk Betty Delaney advised that state and federal regulations apply to state and federal elections, but the practice could be considered for local elections. Mr. Cohen had concerns about how to do this fairly in a uniform manner, as some people do not have photo identification. Selectman Dahlberg agreed to research this idea further.

Chairman Jeannotte:
A report on the two Town Halls projects will be presented on February 9, 2010. The Permanent Building Committee and CPC are meeting together to hear about both projects at 6:30PM in room 204.

A presentation regarding the DPW project will occur during the next BOS meeting.

Winterfest events at the Library went very well.

Selectman Wojtas:
Governor Deval Patrick visited the Harrington School on January, to acknowledge high MCAS scores being maintained in spite of budget constraints.

Selectman Wojtas wished to thank the Mother's Club for their donation to the library.

The Westford Planning Board has continued their hearing on the asphalt plant. A session will be held on February 16 to discuss traffic and fire suppression, and a second session will be held on March 1 to discuss emissions. A decision could be made later in March or in April.

Press Questions
Rita Savard of the Lowell Sun asked how much money was made from the local options taxes. Mr. Cohen explained that the Town has only received data from November and December. The amount for the meals tax was $32,359.00, and total annual hotel tax was $162,813.00, which did not break out figures for two months at the new rate.

Chloe Gotsis, Chelmsford Independent, asked how the step increases work. Mr. Cohen went through the process for union and non-union employees, and explained that these increases are included in the budget.

Executive Session
Motion: by Selectman Wojtas to enter into Executive Session, not to return to Regular Session, to discuss Strategy with respect to collective bargaining, litigation and to discuss the value of real property. Seconded by Selectman Dahlberg.

Roll Call Vote:
Selectman Dixon: Aye
Selectman Dahlberg: Aye
Chairman Jeannotte: Aye
Selectman Wojtas: Aye

Motion carries.

Next Regular Meeting: February 22, 2010

Meeting adjourned at 10:10PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
February 22, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements
- **BOS Public Input Session – March 1**
- **Selectman Candidates**

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. **Public Hearing, Triangle Service Center – Class II Auto Dealers License**

7:40 p.m. **Permanent Building Committee – DPW Plan**

Town Manager Bid Award
- Billboard RFP

Town Manager Reports
- Grant Award for High School Solar Panels
- FY 2010 & FY2011 Budget Update

Board of Selectmen Appointments
- Military Community Covenant Task Force

BOS Meeting Minutes
- BOS Special Meeting Minutes – February 6, 2010

Unscheduled Business
Action Items:
- Sign Town Meeting Warrant

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: March 8, 2010

***** This meeting is televised. *****

APPROVED 3/22/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Road, Room 204
Chelmsford, MA 01824

Regular Meeting MINUTES
February 22, 2010

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr., Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:03PM.

Public Service Announcements
Haiti Tent Drive
Mr. Cohen explained that new and gently used non-canvas tents are being collected during the period of February 22-26 to be sent to Haiti. Tents can be dropped off during the times 9AM-4PM at Town Hall Recycling office. A request is also being made to include a $10.00 donation to cover shipping costs.

BOS Public Input Session-March 1, 2010
Chairman Jeannotte announced that a Public Input Session will be held at the Chelmsford Senior Center on March 1, 2010, 7-9:30PM.

Selectman Candidates
Chairman Jeannotte announced that each candidate for the upcoming Selectmen's race would be provided an opportunity to introduce themselves. Candidates Matthew Hanson, Jon Kurland, and Pat Wojtas addressed the Board:

Matthew Hanson is a UMass graduate with a degree in political science. He is a Town Meeting Representative, and is the clerk of the Town Halls Utilization Committee. He enjoys volunteering his time, and feels he has the energy, dedication and commitment needed to work through budget issues and meet with people. He supports economic development and bringing new businesses to Town. His website is www.matthanson.us.

Jon Kurland noted the Town has been hit hard in the economic downturn. He feels he can provide thoughtful, decisive leadership and timely decisions for the best long term interests of the Town. He listed his past accomplishments and positions he has held, and feels he has helped people solve problems as an attorney, and can do the same as a Selectman. He will be accessible to residents. His website is www.kurlandforselectman.com.

Pat Wojtas has been on the Board for three years. She has seen many changes, and learned many things from her predecessors. Many new challenges have been met with creative solutions. She feels her record is strong, and she will consider all sides of a situation. Her campaign party is being held at the Chelmsford Elks on March 7, 2010, from 3-7PM.

Open Session
Douglas Hausler spoke on behalf of the Chelmsford Business Association, to announce a Candidates Night being held at the Radisson on March 4, 2010. The reception begins at 7PM.

Chairman Jeannotte added that candidates will also appear on February 23, 8:30PM, on the local TV show "Politically Incorrect" with Tom Christiano

Rick Mahoney, 63 Prescott Dr. asked the Board to hold off on making a decision on Billboards until after the Public Input session on March 1, 2010. Mr. Mahoney noted that the Outdoor Advertising Board must approve the Chelmsford High School site as it is by a highway, and other residents of his townhouse complex would like to provide input, as they are next to that location as well.

Douglas Hausler, as Attorney for Thomas and Karen Bagni of 24 Linwood Rd., provided a letter and packet of information for the Board's and Town Manager's consideration. The issue involves a drainage situation from North Rd., where the water has been re-directed onto the Bagni's property. The Town's DPW dug a trench without authorization from the property owner, and without the proper easements or license. The trench is 6 feet deep, and 140 feet long, and he feels his client is at a disadvantage, as he would be held liable if anyone were to be injured because of the trench. His client needs to address this hazard.

He and his clients have been working with the Conservation Commission on a violation of the Wetlands Protection Act in a different nearby area of the property. Wetland flagging and other work has been done in response to a Cease and Desist Order. A Notice of Intent was filed and approved by the Commission, and was later overturned by the Department of Environmental Protection (DEP).

Atty. Hausler's letter asks the Board to appoint a liaison to work with him and the Town Manager to resolve the issue of the trench. Chairman Jeannotte advised that the Board would discuss the situation with the Town Manager and someone would get back to him.

Committee Vacancies
Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office.

Scheduled Business:
Public Hearing: Triangle Service Center-Class II Auto Dealers License
Atty. Douglas Hausler spoke on behalf of the MacAllister family. Peter MacAllister is now assuming control of the business, which has been at this location for decades. The license is to sell up to 6 vehicles at their Boston Rd. location. A Special Permit has been issued by the Planning Board. Locations for vehicles were shown, and other site improvements were described. A complete application and other materials have been submitted. No comments were received from the audience. No further questions from the Board.

Motion: by Selectman Wojtas to close the Public Hearing. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Selectman Wojtas to approve a Class II Auto Dealers License to the Triangle Service Station, 177 Boston Rd., for up to 6 cars for sale. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Permanent Building Committee-DPW Plan

David Duane-Permanent Building Committee, Jeff Liberti -Weston and Sampson, and Jim Pearson-DPW Director were present to answer questions and provide information about the DPW proposal being voted on in April, 2010. Mr. Pearson provided pictures of the existing buildings and the proposed site on Alpha Rd. He explained the concrete storage building and vehicle maintenance station would remain on Richardson Rd., if they are able to move the rest of their operation to Alpha Rd. The sand storage area on Richardson Rd. would be depleted in 5-7 years, the salt shed and trailers would be demolished and removed immediately. The liquid asphalt tank would be moved to Alpha Rd. Mr. Liberti provided cost estimates and contingencies for the renovations and upgrades for Phase I and Phase II of the project. Information was provided in ranges for site acquisition, support systems, code compliance, and clean-up of Richardson Rd. and include room for compromises and bid specifications. Mr. Pearson explained what work would be done in each phase and how operations would continue to function while work is being done. If the proposal fails at the ballot, capital investments and a 10 year schedule of work to be done were listed. John Sousa provided information on a financing plan to include this project and other permanent building needs from 2011 to 2018. A graph of existing and projected debt service levels was provided for all expected projects. Graphs of impacts to the average single family homeowner's tax bills were shown-one for the DPW project, and one for all projects. A graph to show non-excluded debt levels was provided to explain why there is insufficient capacity in the capital budget to absorb the DPW project. Mr. Duane reiterated that the DPW proposal is an opportunity to secure an asset at a reduced price for a department whose needs must be addressed. The expected purchase price of the building has been reduced to $2.5 million. If the project is successful, the DPW would be completely off of Richardson Rd. by 2017. No plans have been made for what will happen to the Richardson Rd site yet. The site at Swain Rd. has potential as a solar field, as it is a 4 acre capped area. Chairman Jeannotte asked how close the water district's wells would be to each DPW location. Mr. Pearson explained that the nearest well to Richardson Rd. is 800 feet away. The nearest well to the Alpha Rd. location is 1.2 miles. Future presentations will be provided at the Senior Center, Library and through the Chelmsford Business Association. Mr. Cohen explained that if the debt exclusion request is rejected by the voters, other capital needs would be delayed to the point of always reacting to emergency repairs rather than preventative maintenance. The capital budget affects vehicles, facilities and schools.

Town Manager Bid Award
Billboard RFP

Mr. Cohen explained that 3 bids were received in regard to the Chelmsford High School billboard location, and 2 bids were received for the location by Routes 40 & 3. The Town would seek approval by the School Committee to turn over the land in question where the billboard is to be installed. To address Mr. Mahoney's concern earlier in the meeting, Mr. Cohen explained that bidders are responsible for obtaining their own local permits, and then the State permits are pursued. No promises were given in the RFP, and bidders are responsible for doing their own due diligence. Selectman Dahlberg wondered if it would be a good idea to wait until the economy recovers in order to get a higher bid. Mr. Cohen felt the income would be helpful now, and the lease is for 20 years, rather than the usual 30 years. Selectmen Scanlon and Wojtas agreed the money is needed now, it should be pursued now. Angelo Taranto was in the audience, and verified the School Committee was discussing the issue at their next meeting, and

he was not aware of any issues that would delay the approval of the transfer of land to the Town, as the land was to be used for municipal purposes. Mr. Cohen acknowledged the Town has 30 days to award the bid. Chairman Jeannotte advised that she preferred to wait for the Board's vote until after the March 1 Public Input Session. Selectmen Wojtas, Scanlon and Dahlberg were ready to vote this evening.

Motion: by Selectman Wojtas to approve the bid award for the lease of land at Chelmsford High School to Capital Advertising & Splash Media Group in the amount of $72,000.00 per year, with an increase of 2.5% per year, for 20 years. Seconded by Selectman Dahlberg. Motion carries by a vote of 4-1, Chairman Jeannotte opposed.

Motion: by Selectman Wojtas to approve the bid award for the lease of land at Routes 40 & 3 to Capital Advertising & Splash Media Group in the amount of $60,000.00 per year, with an increase of 2.5% per year, for 20 years. Seconded by Selectman Dahlberg. Motion carries by a vote of 4-1, Chairman Jeannotte opposed.

Town Manager Reports
Grant Award for High School Solar Panels
Mr. Cohen reported that a grant award of $150,000.000 has been won to install solar panels at Chelmsford High School. Mr. Persichetti will follow through with the proposal, which should be similar to what was done at the library.

Motion: by Selectman Wojtas to authorize the Town Manager to formally accept the grant for the installation of solar panels at Chelmsford High School. Seconded by Selectman Dahlberg. Motion carries, unanimous.

FY2010 & FY2011 Budget Update
Mr. Cohen noted no concerns on collections for FY2010 to date. Third quarter tax payments are due on March 1, 2010, and the motor vehicle excise commitment will be announced next week. Police and Fire Department overtime expenses are less than $100,000.00 to date. Snow/Ice removal expenses are on target; about 50% of the budgeted amount has been expended. Unemployment benefits have tapered off, and many people have run out of benefits. Some employees were grandfathered for sick time buyback. The increased number of announced retirements, some of which were unexpected, have caused an overage in this account. Funds will be made available to handle this situation. Legal expenses are still being monitored, but should be OK.

For FY2011, health insurance premiums will increase by 6.5% on July 1, 2010. The NMCOG assessment will remain the same as for FY2010. The Finance Committee is still reviewing the budget. Mr. Cohen anticipates knowing what the local aid amounts will be by the end of March. There will be a hearing on a Municipal Relief Package on February 23, 2010.

Board of Selectmen Appointments
Military Community Covenant Task Force
Five applications were received for this committee.

Motion: by Selectman Scanlon to approve the appointment of Barbara Belanger and Henry Houle to the Military Community Covenant Task Force for a term to expire on June 30, 2013, to appoint Deborah Trask and Eliane Consalvo for terms to expire on June 30, 2012, to appoint Brian Carey and Pat Wojtas for terms to expire June 30, 2011, and to appoint Sean Scanlon as

Director for a period to expire on June 30, 2011. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Meeting Minutes
BOS Special Meeting Minutes-February 6, 2010
Motion: by Selectman Wojtas to approve the Special Meeting Minutes of February 6, 2010 as presented. Seconded by Selectman Dixon. Motion carries, Selectmen Scanlon and Dahlberg abstained, all others in favor.

Unscheduled Business:
Discussion: Sign Town Meeting Warrant

The current warrant has 26 articles; Town Counsel has reviewed the warrant and has no issues.

Motion: by Selectman Wojtas to approve the posting of the Spring 2010 Town Meeting and Election Warrants. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Chairman Jeannotte reminded residents that the CPC Annual Public Hearing would be held on March 17, 2010 if anyone wanted to attend, as multiple warrant articles for the Town Meeting involve this committee. Bob Morse, Chairman of the CPC, will be asked to speak before the Board at a meeting after March 17.

Selectman Referrals:

Selectman Wojtas:
Residents were reminded of the Volunteer Fair being held at the Senior Center on March 13, 2010 from 10AM-noon.

Selectman Wojtas was contacted by the LRTA to be advised that the Roadrunner Van is willing to pick up dialysis patients on Saturday for the new Burlington and Lowell locations, as the location in Billerica is closing. A formal vote of the Board will be required, as this service would come with an assessment to the Town. An agenda item will be requested for the next meeting.

Selectman Dahlberg:
A meeting was being held on February 12 in Carlisle for Cory Atkins' Municipal Advisory Committee, which Selectman Dahlberg attended. In an overview of the State budget, a potential 10% reduction in local aid was mentioned. Health Insurance is also being discussed at the state level. The Town of Concord is considering a local income tax to offset their property tax.

A resident contacted Selectman Dahlberg to complain that a local towing vendor was overcharging customers. Mr. Cohen stated that he spoke with Chief Murphy, who has not received any formal complaints or violations to date. A monthly audit has not shown any discrepancies.

Selectman Dixon:
Selectman Dixon wished to convey his appreciation to all the officials and committees that have worked on the DPW proposal.

Selectman Scanlon:
The Economic Development Committee's meeting has been re-scheduled to February 23, 2010.

Chairman Jeannotte:
Chairman Jeannotte wished to congratulate Deputy Fire Chief Sousa on his retirement. Mr. Cohen announced there would be formal recognition at the next meeting.

Press Questions
Rita Savard of the Lowell Sun asked for and received a copy of tonight's DPW presentation.

Chloe Gotsis, Chelmsford Independent, also asked for and received a copy of the DPW presentation.

Executive Session
Not needed this evening.

Motion by Selectman Wojtas to adjourn. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Meeting adjourned at 10:05PM.

Respectfully Submitted,

Vivian Merrill
Recording Secretary

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Saturday Jan 6, 2010 **Time:** 11:30 AM.

Location: JAVA Roastery Room Room Number:

Name of Building

14 Hilton Rd

Street Address

Town Clerk's Signature

Clerk/Bd. Member & Date 1/4/10

RECEIVED

10 FEB -4 AM 9:49

TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, February 8, 2016 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Belmont Rd

Street Address

Elizabeth F. Delaney

Town Clerk's Signature

Clerk/Bd. Member & Date 1/29/16

Executive Session

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday Feb 22, 2010 **Time:** 7:00 pm

Location: Town Office Room Number: 24

Name of Building

50 Elizabeth Drive

Street Address

Elizabeth Debreafa

Town Clerk's Signature

T Nguyen 12/2/09

Clerk/Bd. Member & Date

MAR 10

APPROVED 3/22/2010

Town of Chelmsford
Board of Selectmen Minutes
Senior Center
75 Groton Road
N. Chelmsford, MA 01863

PUBLIC INPUT SESSION MINUTES
Monday, March 1, 2010

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Selectman Clerk
Sean Scanlon, Selectman
George Dixon, Selectman
Paul Cohen, Town Manager

Session was called to order by Chairman Jeannotte at 7:05PM.

Chairman Jeannotte offered introductory remarks, stating that the Town Manager would provide a brief overview on a number of topics, including the town budget, and that public input would commence immediately thereafter.

Mr. Cohen announced that an Open Space and Recreation Survey is being conducted. Survey forms are available online and at the Town Hall.

The 2010 Census starts on April 1, 2010. Returning the ten question form is important as it affects local aid distribution and representation on the State level. More information is available at www.2010census.gov .

Mr. Cohen provided a presentation regarding the DPW facility. Photos were shown of the new parcel, and existing conditions on Richardson Rd. Phase I interior work to be done would include configuring exits/entrances, building the salt shed, building the vehicle storage area, installing a fire suppression system, and creating a small administration area. Existing facilities are at the end of their useful life. Cost estimates were provided for both Phase I and Phase II of the project, as well as the cost of rebuilding on Richardson Rd. Mr. Cohen explained how debt service levels worked, and why this project could not be worked into the regular capital budget. The full presentation is available on the Town's website.

Mr. Cohen presented a summary of the FY2011 Operating budget. He is assuming a 5% reduction in state aid. There will be no increases in staffing or compensation other than step increases. Health Insurance premium rates will increase 6.25%, and the $2.5 million for the capital budget will remain the same. Projected revenue - which includes property tax, state aid, local receipts and available funds - will be $100,509,708. Proposed expenditures are $100,425,335. A 5-year revenue & expenditure history was provided for reference. Health insurance costs have risen dramatically over the last decade, and

currently take up 10% of the overall budget. Mr. Cohen explained that communities across the Commonwealth are asking the State for health plan design authority. At this time, the Town has 613 active employees and 772 retirees that participate in health insurance. Proposed health care options, benefits and cost comparisons were provided for reference.

Mr. Cohen wished to respond to an article that ran in the Lowell Sun regarding overtime costs for DPW employees. Mr. Cohen asked people to consider how well the DPW responded to the December 2008 ice storm, and explained that the use of overtime was still more cost effective than using private contractors. Last winter saw high amounts of snowfall, and many things are done in-house rather than being hired out.

Mr. Cohen finished by stating there will be 26 Articles under consideration at the Spring Town Meeting.

Public Input:
Philip Eliopoulos, 161 Proctor Rd. thanked the Board for continuing to provide opportunities for Public Input. Mr. Eliopoulos was disheartened to see more negative mailings being sent by the Slow Growth Initiative (SGI). He stated that he respected the group's right to disagree with some things that happen in Town, but felt that to attack individuals that serve the Town was not appropriate. Mr. Eliopoulos asked people to let Roland Van Liew know that he should stop the lies and propaganda against people who serve the Town.

Chairman Jeannotte wished to thank all the people that are still willing to come forward to serve the Town, in spite of the negative portrayal of the Town.

Maria Karafelis, Precinct 2, asked if the DPW project was approved, how long it would take to start the project. Mr. Cohen explained that it would take 18 months to complete Phase I. Some work would need to be hired out, as the DPW still has their regular work to do. Mrs. Karafelis asked how this project would provide cost savings. Mr. Cohen explained that $70,000.00 in rental costs on Kidder Rd. would disappear, and that the potential $29 million cost to rebuild Richardson Rd. does not address the aquifer issues currently under litigation. Chairman Jeannotte explained the reasoning behind asking the voters to approve a smaller scaled project, and more outreach would be done.

Richard Codling, Precinct 1, felt public employees must be willing to negotiate their wages and benefits much like those in the private sector, who usually have no choice in the matter. He agreed the DPW was needed. He felt Union people need to compromise. Mr. Codling noted the largest growth appears to be government jobs in Washington.

Tim McIlvenna, Precinct 1, supports the restoration of life guards at Freeman Lake and Heart Pond as a public safety issue. He would like people to understand that Open Meeting Law affects Boards' ability to respond to e-mails pertaining to government process.

Marianne Paresky, 10 Smith St., explained that she is a retiree, and the biggest obstacle to unions agreeing to using the GIC is its instability. The GIC is now $31 million in the red. Retirees are already voluntarily participating in Medicare, and some teachers are not allowed to participate. Chairman Jeannotte explained the GIC is not the option on the table at this time. She felt retirees are satisfied with the current plan, even though it is expensive for them as well. Ms. Paresky asked what the policy was to get a resident to clean up the junk in their yard. Mr. Cohen suggested the resident contact the Board of Health or the Building Inspector.

Brian Latina, Precinct 4, provided the co-pay information for his health insurance plan, and explained he has no choice in these figures. He has a handicapped child and 4 other children, and has found ways to save himself money, and government needs to do the same thing. Unions need to consider salaries, benefits and pensions, and employees need to look at the entire package when considering costs. Mr. Latina sees the DPW project as a warehouse, and feels there are less expensive ways to accomplish the same goal. He feels commercial people store their vehicles outside on a regular basis, and steel buildings can be erected less expensively. Mr. Cohen explained that Fire engines and sanders cannot be stored outside, and that the two year study that was done considered the use of metal frame buildings. Mr. Pearson explained that steel buildings were considered in the $29 million proposal, and under current code, they are no longer allowed. Mr. Latina suggested leasing the site of the former Iverson Ford dealership in Billerica. Mr. Pearson pointed out that Billerica's own DPW did not even consider the site. Mr. Latina asked about the affects of exhaust fumes on the office space workers. Mr. Pearson explained exhaust and carbon monoxide systems would be installed to prevent issues from occurring. Mr. Pearson felt that this investment would serve the department's needs for the next 40-50 years. Mr. Latina asked if mechanics for the various town departments could be combined. Mr. Pearson did not feel that was a viable option. Mr. Latina asked about the affects of the new salt shed on the Center Water District's aquifer. Mr. Pearson explained 40-45% of the Town is in an aquifer protection area. The new location was on the edge of an aquifer area, not directly on top of one, as exists today. Mr. Latina asked that no access be provided onto Turnpike Rd. Mr. Pearson explained no access could be gotten, as it is a private way.

Tom Fall, Precinct 7, thanked everyone for their compassion regarding his wife's passing. He supports the town meeting article increasing the fines for parking in a handicapped space, and asked if there was a chance of getting a handicapped space in the center of Town. Mr. Pearson explained there is not enough clearance to put a handicapped space in that area. Mr. Fall asked for clarification of parking ticket issuance. Mr. Cohen explained that photos of a vehicle parked in a handicapped space would be enough to issue a ticket, as opposed to having an officer actually present to see the violation.

Tom Christiano, Precinct 9, explained that he had invited Craig Chemaly and Roland Van Liew of the Slow Growth Initiative group to appear on his show, and they both declined. Mr. Christiano agreed they had the right to criticize people, however, if they did not have the courage to appear in person to defend their views, it may be better to ignore them and

their untrue statements. Mr. Christiano asked if a street sweeper could go down the bike path to clear away some of the leaves and debris from the winter. Mr. Pearson agreed it could be done with a sidewalk sweeper.

Jeff Hardy, Precinct 6, asked residents to respect the two years worth of work done by the committee in regard to the DPW proposal. People should want to be proud of their town, and want it to look nice. Mr. Hardy felt many people present tonight support town officials.

Chairman Jeannotte invited residents to come to the annual public hearing of the Community Preservation Committee on March 17, 2010, at 7pm at the Town Hall. This Committee has 6 proposals on the Spring Town Meeting Warrant.

Karen Dussourd, 160 Washington St., advocated for the North Town Hall renovation. She had a community center in the town where she grew up, and believes the benefits of such a center will make people proud of their community. Seeing this renovation will help make that happen.

Laura Lee, Precinct 2, provided historical uses of the North Town Hall, and explained how CPC funding would be used to continue what was started during the 1990's when a prior committee was disbanded due to lack of funding. This building complements other historical assets in this part of Town.

John Thompson, Precinct 2 agreed the Town Hall could be a beautiful building and a vital part of the community. He encouraged people to learn more about the building.

Maria Karafelis, Precinct 2 asked for an update on the Verizon FIOS installation. Mr. Cohen explained the installation should be complete by the summer of 2011. The presence of their trucks indicates they are working on it, and some sections may be ready this year. Mrs. Karafelis asked for a status of the National Grid Surcharge which is being held in escrow. Mr. Cohen explained that State law prohibits use of this money for municipal purposes such as meeting a budget. A Home Rule Petition has been filed, legislators should act on it by the end of the month, and then the Board of Selectmen can act on it. Underground facilities are also beginning to be installed this year. Mrs. Karafelis asked about using the Mobile Home Park as Affordable Housing or a 40B development. Mr. Cohen explained the park does not meet the State's criteria for 40B,so it cannot qualify as Affordable Housing. Mr. Cohen encouraged residents to contact their state representatives to let them know to support such initiatives as the Municipal Relief Law, pension reform, and healthcare reform as ways to allow the Town to control its costs. Mrs. Karafelis asked if the Town Hall could adjust its hours to accommodate working people. Mr. Cohen explained there is not much activity at night to justify having staggered shifts. The Town Hall is already running on reduced staff, and the busier times are very stressful. Finally, Mrs. Karafelis implored SGI to stop killing trees with their mailings.

Marianne Paresky, 10 Smith St. thanked Mr. Pearson for putting sidewalks and curbs on Smith St. She also explained that the Town does not contribute to teachers' pensions. The State has borrowed from this fund for years, and they need to pay it back. She supported having additional health insurance plans available as options. She believes the unions have been cooperative; there is nothing left for unions to bargain for.

Tim McIlvenna, Precinct 1, wished to thank Chairman Jeannotte for her service to the Town.

Motion by Selectman Wojtas to adjourn. Seconded by Selectman Dahlberg. Motion carries, unanimous.

The Public Input Session was adjourned at 8:55PM.

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
March 8, 2010

Town Offices
50 Billerica Rd.

7:00 p.m Call to Order

Public Service Announcements

- **Proclamation – Deputy Fire Chief James A. Sousa**
- **Proclamation – John Alden**
- **Chelmsford Rotary Club Fundraiser – Beantown & Syncopation**
- **Chelmsford Public Library Volunteer Fair**
- **Census 2010**

Open Session

Committee Vacancies

Scheduled Business

7:45 p.m Pole Petition – Juniper Street

Town Manager Reports

- Energy Star Status for CHS and Byam School
- Capital Improvement Program
- Municipal Relief Act

BOS Meeting Minutes

- BOS Work Session Minutes- December 14, 2009
- Tri-Board Meeting Minutes – December 14, 2009
- BOS Regular Meeting Minutes – December 21, 2009
- BOS Regular Meeting Minutes – January 11, 2010
- BOS Regular Meeting Minutes – January 25, 2010
- BOS Regular Meeting Minutes – February 8, 2010

Unscheduled Business

- House No. 2509 – Act regarding Municipal Health Insurance Plans
- BOS Policies
- LRTA Road Runner Service

Selectman Referrals

***** This meeting is televised. *****

Press Questions

Executive Session

Next Regular Meeting: March 22, 2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

APPROVED 3/22/2010

Regular Meeting MINUTES
March 8, 2010

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr., Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:03PM.

Public Service Announcements
Proclamation-Deputy Fire Chief James A. Sousa
Selectman Wojtas read the proclamation for Mr. Sousa, who was not present to accept it.

Proclamation-John Alden
Tabled until March 22, 2010.

Chelmsford Rotary Club Fundraiser-Beantown & Syncopation
Marian Currier announced this fundraising concert would be held on March 19, 2010, 8PM, at the Performing Arts Center. All proceeds will benefit Rotary Programs. Tickets will be available at the door.

Chelmsford Public Library Volunteer Fair
Chairman Jeannotte announced that the Volunteer Fair would be held on March 13, 2010, 10AM-noon at the Senior Center. Everyone is welcome. More information is available on the Library's website.

2010 Census
Tin McIlvenna, 11 Brook St. reminded residents that the census form is coming in the mail, and it should be returned as soon as possible. Accurate counts of people are important as it affects representation and funding on the state level.

Mike Rigney, 3 Sunset Ave., explained how the census information is kept private for 72 years, and is never shared with any federal, state or local authority. Census-related jobs are still available. Interested candidates may call 1-866-861-2010. All census workers carry identification, residents should be aware of census scams, and never give out their social security number.

Open Space and Recreation Plan Survey
Surveys are available on the Town website, or in Town Hall, and are due by the end of March.

April 6, 2010 Election

Chairman Jeannotte reminded residents to vote in the upcoming election. Voter Registration ends at 8PM on March 17, 2010.

Open Session
Maria Karafelis, Precinct 2, asked for a status of the Stedman St. appeal. Mr. Cohen explained Town Counsel is handling a response, and that a court appearance has not been scheduled yet.

Donald Van Dyne, Brentwood Rd., asked the Board to demand a formal apology from Mr. Chemaly and Mr. Van Liew of the Slow Growth Initiative (SGI). Mr. Van Dyne provided a list of people targeted by this group, and cited examples of how their comments are misleading, lies or just wrong. Mr. Van Dyne would like the apology published in the local newspapers and the Boston Globe. Chairman Jeannotte advised that residents should be cautious when reading anonymous mailings.

Vivian Merrill, 23 Maple Rd. wished to remind residents to attend the "Living with Coyotes" seminar being held in the Police Station Community Room on March 11, 2010, at 7PM. This event is free and open to everyone.

Chairman Jeannotte wished to go back to the SGI issue to comment on SGI's involvement with the Master Plan process. She wanted residents to be aware that no special opportunities were provided to this group. Jim Lane, chairman of the Master Plan Committee came forward to say that approximately 35-40 different groups came forward during this process, and all members of the community were encouraged to come forward during any of their meetings. Selectman Scanlon felt SGI has not been a helpful force, and should not expect any special treatment. Mr. Cohen wished to explain that he was reached out to by the group, and he put his personal feelings aside. Selectman Dixon and Evan Belansky were present at the meeting. No formal agreements were made in the meeting. Mr. Cohen felt that time will tell if they wish to be a positive influence in Town. Chairman Jeannotte felt the group's past actions have discouraged residents from stepping up to volunteer for the Town.

Committee Vacancies
Chairman Jeannotte provided an updated list of committee vacancies, and encouraged interested residents to apply online at the Town's website, or contact the Town Manager's office. Mr. Cohen announced that a letter of interest for Nashoba Valley Regional School Committee appointments are due next week. A joint meeting with the Board, and the Chelmsford School Committee, on March 22, will make two appointments – a regular and an alternate member. Both are three-year terms.

Town Manager Reports
Energy Star Status for CHS and Byam School
Mr. Cohen wished to acknowledge Gary Persichetti's efforts in successfully earning the EPA granted Energy Star status for Chelmsford High School and Byam Elementary school. The Harrington Elementary School and Town Offices Building will be the next to get this accreditation. Chelmsford has now met the qualifications for the first round of grant funding which will begin on May 14, 2010. The Town has received $300,000.00 in grants to date, which have been used in installing solar panels at the Library and Chelmsford High School, and other programs.

Scheduled Business:

Pole Petition-Juniper St.
Joseph Gleason spoke on behalf of Verizon to request the placement of a mid-span pole to alleviate an existing sag between poles 1 & 2.

Audience Comments:
Denise Korch, 2 Juniper Rd., asked that this new pole not be placed at the end of her driveway. One of the poles near her yard was not installed properly and is now leaning. Verizon has suggested several solutions, none of which are acceptable to her, as they all mean putting wires in her yard. She requested someone from Verizon contact her two weeks ago, and has had no response. Chairman Jeannotte asked if the mid-span pole could be moved down the road a bit. Mr. Gleason explained part of the problem involves the contour of the road. The pole on the east side of the street is listing into the street. Mr. Gleason agreed to speak with the engineer to see how far the mid-span pole could be moved and still relieve tension on pole 1. Verizon was not able to secure an easement to install a pole guide at 2 Juniper St. Mr. Gleason will also ask about using a bigger pole at Pole 1.

Motion: by Selectman Wojtas to continue this matter until March 22, 2010, at 7:30PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Town Manager Reports
Capital Improvement Program
Mr. Cohen provided information for the next five years of capital projects as a way to explain why there will be no capacity for the DPW project to be handled by this program, thereby making a debt exclusion request necessary. The capital budget of $2.5 million annually handles various school, equipment and technology needs.

Municipal Relief Act
The proposed legislation provides a variety of ways that Cities and Towns can raise revenue to off-set the decrease in local aid being received, but does not address health insurance benefits. Some areas that the legislation covers include extending the pension funding schedule, prorating benefits for new hires, raising state inspection fees, use of electronic billing systems, reverse auctions, extended borrowing terms, extension of lease periods, a penalty for commercial residents who fail to complete their I&E reports, the creation of an overlay account, motor vehicle registration compliance penalties, and a reduction of officers needed at polling places for elections. The bill further allows municipalities to provide information to voters on the effects of ballot questions, would set SPED tuition rates at the beginning of the school year, and allow for parental reimbursement of SPED transportation fees. Also allowed would be collective purchasing with out-of-state border towns, addressing excess profits from 40B developments, addressing local aid formulas and revised reporting requirements on budgeting issues. Chairman Jeannotte suggested the material be reviewed for discussion when the legislators arrive for the March 22, 2010 meeting.

Other Reports
Mr. Cohen announced that the Farmer's Market is being planned, and the first meeting of the Community Garden was held on March 7, 2010. Residents were asked to call the Town Manager's office if they were interested in helping out with the Farmer's Market, which will run every Thursday from July 8-September. A pilot program for prepared food is being looked at, and entertainment is being discussed.

A residential agricultural report is pending in regard to Sunny Meadow Farm uses.

Town Counsel has approved the Solid Waster/Recycling contract. More information will be included with the next tax bills, and the department is working on where to buy the excess bags, which will be blue, and will cost $2.00 per bag.

Building permits will be pulled in the Fall for the new Stop-n-Shop at the Cinema site. A 9 month construction period is anticipated. Plans for the old plaza in the center will also be finalized at that time.

BOS Meeting Minutes
BOS Work Session Meeting Minutes-December 14, 2009
Motion: by Selectman Wojtas to approve the Work Session Meeting Minutes of December 14, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Tri-Board Meeting Minutes-December 14, 2009
Motion: by Selectman Wojtas to approve the Tri-Board Meeting Minutes of December 14, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes-December 21, 2009
Motion: by Selectman Wojtas to approve the Regular Meeting Minutes of December 21, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes-January 11, 2010
Motion: by Selectman Wojtas to approve the Regular Meeting Minutes of January 11, 2010 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes-January 25, 2010
Motion: by Selectman Wojtas to approve the Regular Meeting Minutes of January 25, 2010 as amended. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes-February 8, 2010
Motion: by Selectman Wojtas to approve the Regular Meeting Minutes of February 8, 2010 as presented. Seconded by Selectman Dahlberg. Motion carries, Selectman Scanlon abstained, all others in favor.

Unscheduled Business:
House No. 2509-Act regarding Municipal Health Insurance Plans
Chairman Jeannotte announced that legislators have been invited to the Board's March 22nd meeting. Information was provided for the Board's review prior to the meeting. Mr. Cohen recalled failed negotiations for 2 years in regard to the GIC and the Blue Cross Alternative plans. Many municipalities are raising concerns over savings being lost. The Act should provide levels of negotiations and thresholds that must be met. Selectman Scanlon supports the bill as it allows local communities to govern locally. Interested residents may come to the March 22nd meeting, and can go to mma.org website for more information.

BOS Policies

A draft document was provided for the Board's review. Topics include how work is organized, roles of positions on the Board, agenda procedures, voting procedures, committee appointment procedures, and expense reimbursement procedures. Changes should be submitted for final review at the next meeting.

LRTA Road Runner Service
Discussion tabled per request of the LRTA.

Selectman Referrals:

Selectman Dixon:
No Referrals

Selectman Dahlberg:
The Board and Town Manager should heed Ronald Reagan's advice and "trust but verify" when it comes to dealing with SGI.

The Board of Health announced that it held 26 flu clinics this season – the Board and its staff should be commended for such an impressive accomplishment during these challenging times.

Selectman Wojtas:
No Referrals.

Selectman Scanlon:
The Economic Development Committee is developing their logo, has sent a survey to local business owners, and will be presenting a report in April.

The first meeting of the Military Covenant Task Force will be held on Thursday, March 11, 2010.

Chairman Jeannotte:
Mr. Cohen was asked to provide an update on the Quinn Bill. Mr. Cohen responded that he has met with the Police Chief on 2 occasions, and that future contract amendments may occur. Recovery efforts have already begun.

School Business Manager Bob Cruikshank's last day will be March 12, 2010. Chairman Jeannotte expressed her personal appreciation of his efforts.

Press Questions
Rita Savard of the Lowell Sun asked for clarification in regard to future mailings from SGI, as she heard there would be none. Mr. Cohen was told the tone of the mailings would change, but there was no guarantee on what the parent organization will do. Ms. Savard was given a copy of the Municipal Relief Act that was discussed.

Executive Session
Not needed this evening.

Next Regular Meeting: March 22, 2010

Motion: by Selectman Wojtas to adjourn the meeting. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Meeting adjourned at 9:05PM.

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
March 22, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements

- **Proclamation John Alden**
- **Proclamation Town of Chelmsford Scholarship Fund**
- **Chelmsford Stars Come 4th Talent Contest**
- **Common Cause Award with Distinction**

Open Session

Committee Vacancies

Scheduled Business

7:30 p.m. **Nashoba Valley Regional District School Committee Appointments**

7:40 p.m. **Zena's Bakeryland-Common Victualer/ Change of Name & Change of Manager**

7: 45 p.m. **Continuation of Juniper Pole (to be continued to April 12, 2010)**

8:00 p.m. **Legislative Delegation – Discussion on House No. 2509 pertaining to Municipal Health Insurance**

Town Manager Reports

- Blue Cross Options HMO Health Plan

Town Manager Bid Awards

- Town Offices Cleaning Services

BOS Meeting Minutes

- BOS Executive Session Minutes – December 14, 2009
- BOS Executive Session Minutes - January 25, 2010
- Tri-Board Meeting Minutes – January 28, 2010
- BOS Executive Session Minutes (w/SC) - January 28, 2010
- BOS Regular Meeting – February 22, 2010
- BOS Public Input Session Minutes – March 1, 2010

***** This meeting is televised. *****

Unscheduled Business

- BOS Policies – second reading
- BOS Meeting Schedule

Selectman Referrals

Press Questions

Executive Session

-

Next Regular Meeting: proposed April 12, 2010

APPROVED 5/10/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting MINUTES
March 22 2010

Attending:
Clare Jeannotte, Chairman
Patricia Wojtas, Vice Chair
Eric Dahlberg, Clerk
George Dixon, Jr., Selectman
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Chairman Jeannotte called the meeting to order at 7:00PM.

Public Service Announcements
Proclamation-John Alden
Selectman Wojtas read the proclamation for Mr. Alden, which was accepted by Bill Nolan, Vice Chairman of the Historical Society. Mr. Nolan expressed gratitude for the award, as Mr. Alden served them for many years.

Proclamation-Town of Chelmsford Scholarship Fund
Selectman Wojtas read the proclamation on behalf of the Fund. No one was present to accept it; Mr. Cohen will deliver it.

Chelmsford Stars Come 4th Talent Contest
Mr. Cohen announced that the application deadline for this fundraising event is April 23, 2010 and the final audition will be on May 20, 2010. Funds benefit the Chelmsford Parade Committee. The Parade is being held on July 5, 2010. Applications are available at the Town Office.

Chairman's plague presentation
Chairman Jeannotte was presented with a commemorative plague by Vice Chair Wojtas to recognize her service during the past year.

Common Cause Award with Distinction
Tabled.

Open Session
Tracy Cole, 77 Turnpike Rd. explained that she is looking for help from the Board in addressing the baby turtles crossing Smith St. The turtles are too small to climb the new curbing that was recently put in, and they are being hit by cars and are dying by the curb, because they cannot get back to the wetland. Mr. Cohen explained he is meeting with David McLachlan and Jim Pearson on Thursday, March 25, 2010 to discuss possible solutions to this problem.

Susan Gates, Trotting Rd., asked the Board to act on a One Day Liquor License application for the Chelmsford Center for the Arts. The event is called CCA in bloom, and will be held from 7-9PM on April 9. The featured works will be open to the public on April 9, 10, and 11th. Ms.

Gates provided a copy of her TIPS certification to Mr. Cohen. The Board agreed to act, as there are no other meetings between tonight and the night of the event.

Motion: by Selectman Wojtas to approve a One Day Liquor License for the Chelmsford Center for the Arts, North Rd., for April 9, 2010, from 7-9PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Myles Hogan, 62 Davis Rd. asked the Board to address drainage issues in his neighborhood (Grandview and Longview Streets) that appear to be coming from the Daisy Meadows development. Mr. Hogan spoke with Mr. McCrensky of Hancock Development on numerous occasions, as it appears the project is abandoned. Mr. McCrensky made one attempt to address the problem, and it failed. Mr. Hogan has spent $60,000.00 trying to remedy the situation, and he is still experiencing flooding in his cellar. Mr. Hogan has met with the Town engineer and Mr. Cohen on at least six occasions. Mr. McCrensky has told Mr. Hogan to hire his own engineer and to stop calling him. The $10,000.00 bond on the project is not enough to pay for his damages, not including the damages of his neighbors. Mr. Cohen explained this issue needs to be heard by the Planning Board. The Town Engineer has determined the problem is not coming from the Daisy Meadow development, as the homes have not yet been built. The engineer feels the problem may be coming from a different parcel, owned by a Mr. Defreitas. Selectman Dixon verified there was a tremendous amount of damage in this neighborhood. Mr. Cohen, Selectman Dixon, and Jim Pearson will meet to do another site walk.

Manny Avila, 71 Davis Rd. owns a parcel of land on Old Westford Rd. to report that the Town is draining water onto his land without authorization. The Conservation Commission allowed two 24" pipes to be installed onto a parcel owned by a Mr. Finnegan. This water is now draining into Mr. Avila's land, and washing it away. At one time, Mr. Avila gave permission for an 8" pipe to be installed, but a larger pipe was installed instead. Sand and salt are accumulating on his land, and he would like this cleaned up. Mr. Avila reports that 5 pipes are going into his field, and he would like it stopped. Selectman Dixon agreed to get back to him.

Ed Windhol, 57 Davis Rd. explained he has spoken with the DPW to request a berm be installed. They have brought sandbags, however, his driveway now needs to be replaced and he would like the situation addressed.

Mike Quinn, 34 Graniteville Rd., advised that his backyard and cellar are full of water from the pipes coming off of Pilgrim Rd. The water has no place to go, and is creating health, mosquito and structural issues to his porch and patio. Selectman Scanlon agreed to attend the meeting with Selectman Dixon, Mr. Cohen and Mr. Pearson.

Mr. Avila added that a ditch was not dug out due to lack of funding. Mr. Hogan asked if the Town engineer was under the Town Manager's jurisdiction. Mr. Cohen advised he was made aware of this situation two weeks prior to this meeting, and requested additional time to address it properly.

Scheduled Business:
Joint Meeting with the School Committee
Nashoba Valley Regional District School Committee Appointments

School Committee Members Present:
Angelo Taranto, Kathy Duffet, Evelyn Thoren, Nicholas DiSilvio

Moderator: Dennis McHugh
Meeting was called to order at 7:40PM.
Mr. McHugh requested a motion to waive the reading of the Legal Ad. Chairman Jeannotte requested a point of order as the ad published is only for the full seat, not the alternate, and she was unsure if the alternate should be appointed without having been advertised?
Mr. Cohen advised that the Regional Agreement may dictate advertising requirements but he was unsure. Mr. DiSilvio suggested delaying both appointments. Mr. Cohen explained that the full position expires on April 1, 2010, so the hearing could not be delayed. The appointment of the alternate position could be continued until the April 12, 2010 meeting. Mr. McHugh explained the applicants for the open position would be given one minute to provide a presentation, and Board and Committee members would be allowed to ask questions of the applicants.

Brian Carey did not speak, as he was applying for the alternate position only.

Donald Ayer explained he has served the Board as an alternate and a full member, and he disclosed other committees he has been involved with, as well as an understanding of state rules and budget meetings. Mrs. Duffett asked if Mr. Ayer felt that the regional meetings should be televised. Mr. Ayer explained he had never considered it, and felt the added expense would not be worth it. The meetings are currently audio taped. When asked about his commitment to Chelmsford, Mr. Ayer responded that he would be looking at getting the best value for the dollar when providing adequate education. He has attended most past meetings.

Maria Karafelis is applying for either position. She explained that her experience as an office manager would help with understanding budget concepts and being a parent of a current student at the school would help with understanding student needs. Her experience as a Town Meeting Representative helps her understand school committee functions. She would agree that meetings should be televised if it could be done fiscally responsibly, and shown to all affected towns. Her responsibility to the Town would be to focus on getting the highest quality of education that also provides the best value for the dollar. She has not been able to attend past meetings, but has heard from others that have. Mr. DiSilvio asked how she felt about the prior year's assessment issue. Mrs. Karafelis advised she voted for the budget, as she believed the school's superintendent would reimburse excess funding as she promised. Mrs. Duffet asked if the E&D reserve funds should be used more aggressively. Mrs. Karafelis felt the reserves should be used to meet the budget, and the state formula should be used to determine the assessments.

Mr. Ayer stated the school has tapped into their reserve to meet their budget, as is required by law. He anticipated that the reserves would be used to keep from charging additional assessments. Mr. Ayer felt that the tapes and detailed minutes were adequate, as the costs to televise to all 7 towns would be prohibitive.

Mr. McHugh asked for nominations.

Motion: by Mrs. Duffet to nominate Maria Karafelis for the regular full position of the Nashoba Valley Regional District School Committee. Seconded by Mr. DiSilvio.

Motion: by Chairman Jeannotte, seconded by Selectman Wojtas to nominate Don Ayer for the regular full position of the Nashoba Valley Regional District School Committee.

Motion: by Mr. Taranto to close the nominations. Seconded by Mr. DiSilvio. Motion carries, unanimous.

Show of hands votes for Mr. Ayer: Mr. DiSilvio opposed, all others in favor.
Show of hands votes for Mrs. Karafelis: Mr. DiSilvio in favor, all others opposed.

Motion: by Chairman Jeannotte to adjourn the joint meeting at 8PM. Seconded by Mrs. Thoren. Motion carries, unanimous.

Zena's Bakeryland-Common Victualer/Change of Name & Change of Manager
Atty. Philip Eliopoulos spoke on behalf of the applicant, who could not be present due to other obligations. Seating, including outdoor seating for 8, will not exceed 36 total.

Motion: by Selectman Wojtas to approve the following changes on the Common Victualer License on the Premises at 28 Alpine Lane: Name of Business from Café Madrid Bakery to Zena's Bakeryland, Change of Manager from Yazmin Badias Fadjo to Zena Cron and Change of Hours from Weekdays 6AM to 11PM and Sundays 7AM-11PM to 6AM to 4PM seven days per week. Total Seating capacity to remain the same at 36, to include indoor and outdoor searing. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Atty. Eliopoulos expressed his support for the DPW project, and thanked Chairman Jeannotte for her service to the Board.

Pole Petition-Juniper St.
Joseph Gleason spoke on behalf of Verizon to request a continuance to April 12, 2010, while Verizon's engineers continue to work with the DPW to address alternative solutions to the problem.

Motion: by Selectman Wojtas to continue this hearing until April 12, 2010, at 7:45PM. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Legislative Delegation
Discussion on House Bill 2509 pertaining to granting communities plan design for Municipal Health Insurance outside collective bargaining
Don Siriani, aide to Senator Fargo, Representative Jim Arciero, Representative Dave Nangle, Representative Cory Atkins, and Representative Tom Golden were present. Chairman Jeannotte thanked them for attending to be updated on this important issue. She and Mr. Cohen provided some history of the two years of failed negotiations to date, including premium increases, percentage of budget consumption of cost, cost history and premium histories for the last ten years. Mr. Cohen explained the benefits under the HMO Options plan, and the costs to the community by not being allowed to make the switch. The Board and Mr. Cohen acknowledged that frustration on both sides is understandable. Chairman Jeannotte felt the Town has "played by the rules" for two years now and invested hundreds of hours, and expects the outcome will never be different if this bill is not passed. The Town Manager should be allowed to "shop rates", especially in light of the states budget problems. Representative Arciero confirmed that health plan design was a very controversial issue at a recent caucus, and he agreed the Town needs flexibility, stating that without a better proposal, he will support H2509. Representative Atkins noted at a recent leadership meeting that Towns are not allowed to manage their biggest cost, while there is nothing left to trade at the collective bargaining level. Representative Nangle explained 2 ballot questions are upcoming regarding sales tax reduction and alcohol tax

elimination. He supported this bill. Representative Golden explained this has been heavily debated, the state has $195 million in deficit, cuts are affecting health and human services and will affect local aid. The last plan failed at the state level. Chairman Jeannotte explained the Town is grateful to its employees for what they have already given, and prefers to keep as many as possible. Selectman Dahlberg felt the switch would be from "very generous" to "decent" benefits. Selectman Scanlon felt the new plan is still very generous in certain areas, giving the Town the power to use this option will allow it to govern locally, and will preserve jobs and services. The delegation noted that Chelmsford is facing the same problems as other communities. They hope to hear more information on the budget by the first week of April. Mr. Siriano asked residents that when they e-mail to Senator Fargo that they provide their name and where they live.

Chairman Jeannotte thanked the delegation for their help on the Economic Development Committee.

Selectman Wojtas thanked them for their help with the Parkhurst Rd. project. She then asked for their help with another transportation issue – the requirement for matching funds in order to take advantage of a Congressional benchmark which would study the Drum-Hill-to-Rourke-Bridge traffic corridor. Typically, the Mass. Department of Transportation provided the match, but has indicated they will not do so in this case. The representatives agreed to look into the matter.

Common Cause Award with Distinction
Representative Atkins made a formal presentation of this award presented to the Town.

Town Manager Reports
Blue Cross Options HMO Health Plan
Tim McIlvenna, 11 Brook St., read the letter of support for the MMA legislation package and House Bill 2509 on behalf of the Finance Committee.

Mr. Cohen asked the Board for direction in regard to offering this product when speaking with union representatives. The Board supported Mr. Cohen to move forward with these discussions. Town Counsel has reviewed the agreement, and all agreements are approved at Town Meeting. Further discussion will take place at a future executive session.

Town Manager Bid Award
Town Offices Cleaning Services
Three bids were received for this contract.

Motion: by Selectman Wojtas to approve the bid award for Town Offices Cleaning Services to M&M Contract Cleaning, Inc. of Brockton, in the amount of $19,200.00 annually. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Meeting Minutes
BOS Executive Session Meeting Minutes-December 14, 2009

Motion: by Selectman Wojtas to approve and release the Executive Session Meeting Minutes of December 14, 2009 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Executive Session Meeting Minutes-January 25, 2010

Motion: by Selectman Wojtas to approve and release the Executive Session Meeting Minutes of January 25, 2010 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Tri-Board Meeting Minutes-January 28, 2010

Motion: by Selectman Wojtas to approve the Tri-Board Meeting Minutes of January 28, 2010 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Executive Session Meeting Minutes (with School Committee)-January 28, 2010

Motion: by Selectman Wojtas to approve and release the Executive Session Meeting Minutes of January 28, 2010 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes-February 22, 2010

Motion: by Selectman Wojtas to approve the Regular Meeting Minutes of February 22, 2010 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Public Input Session Minutes-March 1, 2010

Motion: by Selectman Wojtas to approve the Public Input Session Minutes of March 1, 2010 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Regular Meeting Minutes-March 8, 2010

Motion: by Selectman Wojtas to approve the Regular Meeting Minutes of March 8, 2010 as presented. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Unscheduled Business:
BOS Policies-Second Reading
A revised draft document to include comments from the first reading, and Mr. Cohen's comments was provided for the Board's review. Submission dates for meeting materials were updated, and agenda posting requirements were changed to conform with the new Open Meeting Law. The discussion on appointments refers to Board of Selectmen appointed committees, not Town Manager appointed committees.

Motion: by Selectman Wojtas to approve the Board of Selectmen Policies document, as amended. Seconded by Selectman Dahlberg. Motion carries, unanimous.

BOS Meeting Schedule
The BOS meeting schedule for April through June was provided.

Selectman Referrals:

Selectman Dixon:
Selectman Dixon thanked Chairman Jeannotte for her guidance and help over the past year, and wished her the best of luck in her future endeavors.

Selectman Dahlberg:

The Board of Health announced that it vaccinated 3600 residents for the H1N1 virus, and 1900 residents for the regular flu this season.

The Save Our Communities will have its first meeting with Governor Patrick on Wednesday, March 24, 2010.

Selectman Dahlberg stated it has been a pleasure working with Chairman Jeannotte.

Selectman Scanlon:
About a dozen businesses have signed on to a program offering discounts through the Military Community Covenant Task Force. There has been great community support for this program. A link is now available on the Town's website.

Selectman Scanlon will attend the Creative Economy meeting, which will discuss grant opportunities using art as an economic development tool.

Chairman Jeannotte was thanked for her past service.

Selectman Wojtas:
Congratulations were given on the latest two eagle scouts to appear at a Court of Honor, which she attended.

Anna Powers, a resident of Summer Place, recently celebrated her 104th Birthday.

More information will be coming from FEMA on initiatives to enable residents to get up to 75% reimbursement on certain storm related damage & expenses. Mr. Cohen wished to commend the DPW on its efforts in the last two storms, especially on Littleton Rd.

Residents were reminded to turn in their census forms as soon as possible. The cost of sending a representative to a site is $57.00.

Selectman Wojtas acknowledged a great three years working with Chairman Jeannotte.

Chairman Jeannotte:
Acknowledgements were given to the efforts of the Board, the number and efforts of town volunteers, the number and efforts of the various committees and Town employees during the Chairman's time on the Board.

Press Questions
None at this time.

Executive Session
Not needed this evening.

Motion: by Selectman Wojtas to waive the rules of adjournment and allow Chairman Jeannotte to adjourn her last meeting. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Motion: by Chairman Jeannotte to adjourn the meeting at 9:55PM. Seconded by Selectman Wojtas. Motion carries, unanimous.

Next Regular Meeting: April 12, 2010

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Public Input Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, March 1, 2010 **Time:** 7:00 pm

Location: Senior Center (Name of Building) Room Number: hall

75 Groton Rd (Street Address)

Elizabeth K Delmey — Town Clerk's Signature

T Quinn 1/27/10 — Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, March 8, 2010 **Time:** 7:00 pm

Location: Town Office Room Number: 204

Name of Building

50 Bellevue Rd

Street Address

Elizabeth H. Delaney

Town Clerk's Signature

T. Lynn 2/9/10

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, March 22, 2010 **Time:** 7:00 pm

Location: Town Office Room Number: 204

Name of Building

50 Bellerica Rd

Street Address

Town Clerk's Signature

Clerk/Bd. Member & Date 2/9/10

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Joint Meeting w/ School Committee

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, March 22, 2010 **Time:** 7:30 PM

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd.

Street Address

Town Clerk's Signature

Clerk/Bd. Member & Date

APR 10

APPROVED 5/10/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Reorganization Meeting MINUTES
April 8, 2010

Attending:
Eric Dahlberg, Selectman
George Dixon, Jr., Selectman
Sean Scanlon, Selectman
Jon Kurland, Selectman
Paul Cohen, Town Manager

Absent:
Matt Hanson, Selectman

Selectman Dahlberg called the meeting to order at 6:00 PM. He stated that Selectman Hanson would be absent and that he wished to read into the record a letter submitted by Selectman Hanson:

April 8th, 2010

To Paul Cohen and the other members of the Board of Selectmen,

Unfortunately I am not able to make tonight's reorganization meeting, April 8th 2010, but I would like express my support for Selectman George Dixon for the position of Chairman of the Board of Selectmen. I support Eric Dahlberg for Vice-Chair. I would also accept a nomination for Clerk. I apologize for not being able to attend out first meeting. I look forward to voting on the Town Meeting Warrant Articles with all of you soon.

Thank you,
Matt Hanson

Selectman Dahlberg then stated that the Board's first order of business is to elect a chair.

Motion: by Selectman Scanlon to open nominations for the position of chair. Seconded by Selectman Kurland. Motion carries, unanimous.

Selectman Dahlberg nominated Selectman Dixon for the position of Chair. Seconded by Selectman Scanlon. No other nominations for the position of Chair were made.

Motion: by Selectman Scanlon to close nominations for the position of Chair. Seconded by Selectman Kurland. Motion carries, unanimous.

Motion: by Selectman Dahlberg to elect George Dixon to the position of Chair. Seconded by Selectman Scanlon. Motion carries, unanimous.

Chairman Dixon stated that he looked forward to a busy and productive year and that he would strive to bring unity to the Board and to the town.

Motion: by Selectman Scanlon to open nominations for the position of Vice Chair. Seconded by Selectman Kurland. Motion carries, unanimous.

Selectman Scanlon nominated Selectman Dahlberg for the position of Vice Chair. Seconded by Chairman Dixon. No other nominations for the position of Vice Chair were made.

Motion: by Selectman Scanlon to close nominations for the position of Vice Chair. Seconded by Chairman Dixon. Motion carries, unanimous.

Motion: by Selectman Dixon to elect Eric Dahlberg to the position of Vice Chair. Seconded by Selectman Scanlon. Motion carries, unanimous.

Vice Chairman Dahlberg stated that he too looked forward to a productive year and that he is eager to get to work.

Motion: by Vice Chairman Dahlberg to open nominations for the position of Clerk. Seconded by Selectman Kurland. Motion carries, unanimous.

Selectman Kurland nominated Selectman Hanson for the position of Clerk. Seconded by Chairman Dixon. No other nominations for the position of Clerk were made.

Motion: by Selectman Dahlberg to close nominations for the position of Clerk. Seconded by Chairman Dixon. Motion carries, unanimous.

Motion: by Vice Chairman Dahlberg to elect Matt Hanson to the position of Clerk. Seconded by Selectman Scanlon. Motion carries, unanimous.

Press Questions
None at this time.

Executive Session
Not needed this evening.

Motion: by Vice Chairman Dahlberg to adjourn the meeting at 6:20 PM. Seconded by Selectman Scanlon. Motion carries, unanimous.

Next Regular Meeting: April 12, 2010

Respectfully Submitted,

Eric R. Dahlberg
Vice Chair

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
April 12, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. **Call to Order**

Public Service Announcements

- **Chelmsford Garden Club – Arbor Day**
- **Dancing with the Stars – April 23rd**
- **Chelmsford Stars Come 4th – deadline April 23rd**
- **Healthy Chelmsford Wellness Fair – May 8th**

Open Session

Scheduled Business

- **Economic Development Commission – Marketing Slogan & Report**
- **Appointment of Alternate to Nashoba Valley Regional School Committee**

7:30 p.m.

- **Public Hearing - Sichuan Palace - All Alcohol License, Transfer of ownership**
- **Auto Dealers License - Beantown Motors - Change of Location**
- **One Day Beer & Wine License – Saint John the Evangelist, April 30**
- **One Day Beer & Wine License – Prog. Democrats of MA, April 14**
- **Grant opportunity for Oak Hill – Evan Belansky**
- **Continuation of Pole Petition – Juniper Street**
- **Handicap Parking Warrant Article – Chief Murphy & Len Olenchak**
- **Master Plan Committee Update**
- **Town Manager Reports**
  - Review Annual Spring Town Meeting Warrant Articles
  - Blue Cross HMO Options Plan
  - Towing and storage of vehicles invitation for bids
  - Solid waste collection program bag fees

***** This meeting is televised. *****

- **Town Manager Appointments**
  - Animal Inspector
- **BOS Meeting Schedule**
- **Selectman Referrals**
- **Press Questions**
- **Executive Session**
  - Strategy with Respect to Collective Bargaining
- **Next Regular Meeting: April 26, 2010**

APPROVED 5/10/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting MINUTES
April 12, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Sean Scanlon, Selectman
Jon Kurland, Selectman
Paul Cohen, Town Manager

Absent
Matt Hanson, Clerk

Chairman Dixon called the meeting to order at 7:05PM.
Boy Scout Troop 74 led a color guard for the Pledge of Allegiance.

Public Service Announcements
Proclamation-Arbor Day, Chelmsford Garden Club
Selectman Dahlberg read the proclamation for Arbor Day, which was accepted by Lorraine Given, Chairman of the Chelmsford Garden Club. Ms. Given announced the Arbor Day event at the Garrison House on Friday, April 30, 2010 starting at 3:30PM. .

Dancing with the Stars-April 23
Marian Currier listed the "stars" and judges for this event, which will be held at Princeton Station on April 23, 2010.

Chelmsford Stars Come 4th Talent Contest
Lynn Marcella announced that the application deadline for this fundraising event is April 23, 2010 and the final audition will be on May 20, 2010. Prizes will be given in several categories. Funds benefit the Chelmsford Parade Committee. The Parade is being held on July 5, 2010. Applications are available at the Town Office. Residents were thanked for turning in their raffle tickets.

Healthy Chelmsford Wellness Fair-May 8
Sue Rosa announced this event will be held at the Senior Center from 9AM-1PM on Saturday, May 8, 2010. Everyone is welcome, there will be many activities, and about 40 vendors available.

Open Session
Susan Gates spoke on behalf of the Chelmsford Center of the Arts and the Town Hall Committee. The floral event will be displayed until May 2, 2010. The event on April 9, 2010 netted $2800.00, and she wished to thank the various sponsors for their help.

Don Desfosse, Precinct 9, announced a fundraiser being held for Lea Dagg on May 7, at the Westford Regency.

Bill Griffin, Precinct 9, provided the Board with a CD of pictures and video of the area designated for a 40B project behind his neighborhood, and asked residents to attend the Notice of Intent hearing in Billerica later this week.

David Morey, Precinct 2, wished to remind residents that the North Town Hall Renovation will be funded with CPC funds, not Town funds. People with questions can call him.

Scheduled Business

Economic Development Commission-Marketing Slogan and Report
Mike Kowalyk, Chairman of the Economic Development Committee, introduced members of the Committee, State Representatives and representatives from three local businesses featured in a Globe 100 best companies list. Mr. Kowalyk listed the awards won by the Town, reviewed the Town's "brand" strategy, logo and slogan. Brad Marmo presented the website, Chelmsfordbusiness.com and described future activities of the Committee.

Joint Meeting with School Committee
Appointment of Alternate to the Nashoba Valley Regional School
Dennis McHugh, Moderator, called the joint meeting to order at 7:52PM. School Committee Members present included Kathy Duffett, Angelo Taranto, Evelyn Thoren, Janet Askenburg and Nick DiSilvio.

Selectman Scanlon nominated Brian Carey foe the position of Alternate Representative for the Nashoba Valley Regional Technical School Committee. Seconded by Mrs. Duffett.

Mr. Taranto nominated Maria Karafelis for the position of Alternate Representative for the Nashoba Valley Regional Technical School Committee. Seconded by Mrs. Thoren.

Motion: by Mrs. Thoren to close nominations. Seconded by Selectman Scanlon. Motion carries, unanimous.

Applicants were allowed to give their presentations. Brian Carey explained he was withdrawing his application due to a family illness. Maria Karafelis explained her business experience will assist the Board; she will work to help the students, and she listed goals she would like to see accomplished.

A show of hands vote for Maria Karafelis: all in favor, none opposed.

Motion: by Mrs. Thoren to adjourn the joint meeting. Seconded by Mr. DiSilvio. Motion carries, unanimous.

Public Hearing-Sichuan Palace-All Alcohol license-Transfer of Ownership
Atty. Wei Jia spoke on behalf of the applicant, who is requesting a transfer of the all alcohol license to a new owner. The name of the restaurant, seating and hours of operation will remain the same. No questions from the Board, and no comments from the audience.

Motion: by Selectman Dahlberg to close the public hearing. Seconded by Selectman Kurland. Motion carries, unanimous.

Motion: by Selectman Dahlberg to approve the transfer of an all-alcohol license for Sichuan Palace from Hui Wang to Jian Lan Gu and Stanley Lam. Seating for 100 and hours of operation will remain the same as previously allowed. Seconded by Selectman Kurland. Motion carries, unanimous.

Auto Dealers License-Beantown Motors-Change of Location
John Mauriello requested to change his dealers license to his home address. He intends to sell automobiles online, from his home computer. No vehicles will be stored at his home, this will be a part-time pursuit, with no inventory at 9 Adirondack Rd.

Motion: by Selectman Dahlberg to approve a transfer of Auto Dealers License for Beantown Motors from 14 Kidder Rd. to 9 Adirondack Rd. Seconded by Selectman Scanlon. Motion carries, unanimous.

One Day Beer & Wine License-St. John the Evangelist Church-April 30
Lilliana Lucas was present for questions. The Church is holding a Casino night fundraiser from 6:30-11PM.

Motion: by Selectman Dahlberg to approve a One Day Beer and Wine License for St. John the Evangelist Church, to be exercised at 115 Middlesex St., No. Chelmsford for April 30, 2010 from 5-11PM. Seconded by Selectman Scanlon. Motion carries, unanimous.

One Day Beer and Wine License-Progressive Democrats of MA, April 14
Michael Combs explained this event is being held at the Chelmsford Center of the Arts in appreciation of anyone who did anything to volunteer during the last political campaign.

Motion: by Selectman Dahlberg to approve a One Day Beer and Wine License to the Progressive Democrats of Massachusetts for April 14, 2010 from 7-9PM, to be exercised at the premises of 1 North Rd, Chelmsford. Seconded by Selectman Kurland. Motion carries, unanimous.

Grant Opportunity for Oak Hill-Evan Belansky
Mr. Belansky explained that the grant is being requested to fund technical assistance for a feasibility study for this 66 acre town-owned parcel. The survey would cover access and wetland delineation, and would identify other issues or infrastructure constraints. The parcel was zoned industrial in 1956, and has been identified by the Housing Committee as a possible area for housing and open space. If the Board gives support of this grant request, Mr. Belansky will move forward with the application, which is due before April 30, 2010.

Motion: by Selectman Kurland to authorize Chairman Dixon to sign the recommendation for the grant application, not to exceed $15,000.00 in the first round of funding, for a 66 acre town-owned parcel on Oak Hill. Seconded by Selectman Dahlberg. Motion carries, unanimous.

Pole Petition-Juniper St.
Motion: by Selectman Dahlberg to open the Public Hearing. Seconded by Selectman Kurland. Motion carries, unanimous.

Mr. Cohen explained that engineers have devised a solution to address the sagging wires on Juniper St. without needing an easement from a resident in this area. Mr. Gleason from Verizon has asked that the application be withdrawn without prejudice.

Motion: by Selectman Dahlberg to allow this application for a Pole Petition to be withdrawn without prejudice. Seconded by Selectman Kurland. Motion carries, unanimous.

Handicap Parking Warrant Article-Chief Murphy & Len Olenchak
Police Chief Jim Murphy was present to explain Article 15 of the Spring Town Meeting Warrant. Which would allow 2 certified civilians to report and document violations of handicapped parking issues to the local police. Police would then send a citation, letter and photographs to the registered vehicle owner. The fine for this violation is $100.00. Selectman Scanlon had liability concerns for the volunteers performing this service. Mr. Olenchak explained the volunteers could sign a waiver, but there have been no reported issues in other communities where this is done. Chief Murphy encouraged residents that observe a violation of handicapped parking feel free to call the department to report the incidents. Mr. Olenchak requested the Board appoint a new liaison for the Commission of Disabilities. Selectman Dahlberg asked if the matter of illegal parking in spots designated for handicapped persons is a problem in Chelmsford. Mr. Olenchak stated that it is – that it is a problem everywhere.

Master Plan Committee Update
Jim Lane and Philip Eliopoulos were present to give an update of the Master Plan process. Working Draft documents are available on the Committee's website and NMCOG's website. Input from the Housing and Open Space and Recreation Plan Committee's will dovetail with the Master Plan. Mr. Eliopoulos provided examples of some of the recommendations for the Housing and Economic Development sections of the document. The Committee will use the summer to finalize the document and get input from various Town Boards. The final Public Input Session has been scheduled for September 16, 2010.

Town Manager Reports
Review Annual Spring Town Meeting Warrant Articles
Jim Pearson was present to explain that Article 11 would provide for audible crosswalk signals in the Town Center as a way to address increased pedestrian traffic in that area. Article 13 addresses illicit connections and discharges into the municipal drain system. The Town is complying with a requirement under the EPA's Storm Water Discharge Permit to adopt this type of bylaw. Article 14 addresses FEMA's process of updating their data to digital maps. No new hydrological information is being supplied and the flood plains will remain the same. It is a Federal requirement to adopt this change if the community wishes to keep participating in the National Flood Insurance Program.

Robert Morse of the Community Preservation Committee was present to explain that Article 17 will set the budget of $1,059,057.00 for the Committee for 2011. Article 18 will allow funding of $2.56 million for improvements to the Center Town Hall. Article 19 will allow funding of $2.85 million for improvements and restoration of the North Town Hall. Article 20 will allow funding of $75,000.00 to the Chelmsford Housing Authority to create 5 units of Affordable Housing on Highland St. Article 21 will allow funding of $400,000.00 to the Chelmsford Housing Authority to create a duplex of two 4-bedroom units for disabled veterans on Manahan St. Article 22 will fund construction of a parking area on Sunny Meadow Farm and a 900 foot paved access path to the Freeman Rail Trail. The total estimated cost for both of these projects is $80,000.00. Article 23 will fund theatrical lighting for the Center Town Hall. The request from the CPC is for $25,000.00, to be combined with a grant from Chelmsford Telemedia for additional equipment. Mr. Morse explained how the Town Halls articles would be financed, all the other articles would be funded out of existing CPA funds. If all of the Articles pass, there would still be 1.27 million available for other projects.

Blue Cross HMO Options Plan
Mr. Cohen explained that effective July 1, 2010, the school committee will be implementing this plan for all of its non-union and under 65 retiree employees. Mr. Cohen requested that the Board authorize the same action for non-union and under-65 retiree employees on the general government side. This would create a savings of $59,000.00. Negotiations with union personnel are still pending.

Motion: by Selectman Dahlberg to authorize the Town Manager to implement the Blue Cross HMO Options Plan for non-union and under 65 retiree employees effective July 1, 2010. Seconded by Selectman Scanlon. Motion carries, unanimous.

Towing and Storage of Vehicles-Invitation to Bid
Mr. Cohen provided the Board with the Request for Bid proposal for the new towing contract. Language was added regarding CORI requirements. More information will be forthcoming in May.

Solid Waste Collection Program Bag Fees
Mr. Cohen reminded residents of the new trash limits effective July 1, 2010. Excess trash will be collected in special bags, which will cost $2.00/bag. Vendor locations are still being worked out. Money received from the bags will be used to offset the overhead costs of trash pickup. Selectman Scanlon questioned why the cost of the bags is higher for Chelmsford than for surrounding towns. Mr. Cohen explained other towns utilize a different program and are subsidized differently. Other towns utilizing the bags are noticing trash tonnage is being reduced, recycling is being done more, and revenue is not as much as was originally expected. Selectman Scanlon would like the bag cost to be reviewed again if overall trash costs decrease significantly.

Other Reports
Mr. Cohen provided updates on pending Home Rule Petitions from Senator Fargo's office. The land swap between the Water District and the Conservation Commission will be heard within a few months. The installation of underground utilities is beginning, and the petition on the surcharge should be heard within a month.

Town Manager Appointments

Animal Inspector
Motion: by Selectman Dahlberg to approve the reappointment of Erik E. Merrill as Inspector of Animals from May 1, 2010 to April 30, 2011. Seconded by Selectman Scanlon. Motion carries, unanimous.

BOS Meeting Schedule
A list of potential meeting dates was provided to the Board from April to June. Dates can be adjusted as needed.

Selectman Referrals:

Selectman Scanlon:
The Selectman suggested the Town look into the recent news that changing fonts on certain printed documents can save on ink costs. This could be discussed further at the next meeting.

Selectman Scanlon suggested that social security numbers be removed from information provided to the Board in their packets.

Selectman Dahlberg:
The Chelmsford Clean and Green group will be meeting on April 28, 2010 at 7PM at the library.

Representative Cory Atkins' monthly meeting will be held on May 7, 2010 at 9AM at the Police Department Community Room. Residents and officials were invited to attend, as Chapter 70 funding will be discussed.

Selectman Kurland:
The Progressive Democrats Volunteer party will be held on April 14, 2010 at the Chelmsford Center for the Arts from 7-9PM. Anyone who participated in volunteering during the election season is invited to attend.

Selectman Kirkland's monthly office hours will begin with his opening session on May 1, 2010 at 9AM at the Java Room.

Chairman Dixon:
Chairman Dixon stated that he wished to thank Boy Scout Troop 74 for their assistance with Pledge of Allegiance at tonight's meeting.

Chairman Dixon stated he is impressed with the work of the Economic Development Committee.

Press Questions
Chloe Gotsis of the Chelmsford Independent asked if the meeting on April 29, 2010 with Town Counsel was open to the public. Mr. Cohen explained this was be a closed meeting. Mr. Cohen also verified that savings realized from the health insurance conversion for non-union and under-65 retiree employees would be $59,000.00.

Executive Session
Motion: by Selectman Dahlberg to enter into Executive Session for the purpose of discussing strategies of negations in collective bargaining. Seconded by Selectman Scanlon.

Roll Call Vote:
Selectman Scanlon: Aye
Selectman Dahlberg: Aye
Chairman Dixon: Aye
Selectman Kurland: Aye

Motion carries, unanimous.

Next Regular Meeting: April 26, 2010

Meeting adjourned at 9:50PM.

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

APPROVED & RELEASED 5/10/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Executive Session MINUTES
April 12, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Sean Scanlon, Selectman
Jon Kurland, Selectman

Paul Cohen, Town Manager

Absent
Matt Hanson, Clerk

Chairman Dixon called the Executive Session to order at 9:55 PM.

Mr. Cohen stated that this session had been requested for the purpose of discussing strategies of negations in collective bargaining, specifically with respect to ongoing negotiations with town unions about health insurance, and also specifically with the police unions with regard to the state's cut of Quinn bill funding.

Mr. Cohen stated that it appears that the School Committee is headed towards mediation with the unions with which it negotiates because of health insurance. He stated that the outcome of these negotiations will have impacts on how the town negotiates with its other unions. He stated that he believed that the best course is to wait for what is reported at the next meeting of the School Committee – scheduled for April 13, 2010.

After some discussion, the Board agreed with Mr. Cohen's suggestion on the best course to follow at this time on this matter.

Motion: by Selectman Dahlberg, to adjourn the Executive Session. Seconded by Selectman Scanlon.

Roll Call Vote:
Selectman Scanlon: Aye
Selectman Dahlberg: Aye
Chairman Dixon: Aye
Selectman Kurland: Aye

Motion carries, unanimous.

Next Regular Meeting: April 26, 2010

Executive Session adjourned at 10:30 PM.

Respectfully Submitted,

Eric R. Dahlberg
Vice Chair

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen Regular Meeting

Date of Meeting: Thursday, April 8, 2010 **Time:** 6:00 pm

Location: Town Offices (Name of Building) Room Number: 204

50 Billerica Road (Street Address)

Elizabeth A. Delaney — Tricia Quinn 3/9/10

Town Clerk's Signature — Clerk/Bd. Member & Date

N of Meeting Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, April 12, 2010 **Time:** 7:00pm

Location: Town Offices Room Number: 214

Name of Building

50 Billerica Rd

Street Address

Elizabeth H. Delaney

Town Clerk's Signature

Lucia Quinn 3/9/10

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Joint w/ School Committee

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, April 12, 2010 **Time:** 7:30 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd

Street Address

Elizabeth H Delaney

Town Clerk's Signature

T. Green 4/7/10

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, April 26, 2010 **Time:** 7:00 pm

Location: Senior Center Room Number: hall

Name of Building

75 Groton Rd.

Street Address

Elizabeth A. Delaney

Town Clerk's Signature

Tricia Quinn 3/25/10

Clerk/Bd. Member & Date

RECEIVED

10 MAR 25 PM 1:08

TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Work Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Tuesday, April 20, 2010 **Time:** 6:00 pm

Location: Town Offices Room Number: 201

Name of Building

55 Billerica Rd.

Street Address

Elizabeth H. Delaney

Town Clerk's Signature

Tricia Lynn 4/13/10

Clerk/Bd. Member & Date

Warrant Articles
Liaison assignments

RECEIVED

10 APR 13 AM 11:45

[illegible]
ELIZABETH L. DELANEY
TOWN CLERK

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Executive Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Thursday April 29, 2010 **Time:** 6:30

Location: Senior Center Room Number: hall

Name of Building

75 Groton Rd.

Street Address

Elizabeth L Delaney

Town Clerk's Signature

Lucia Quinn 4/13/10

Clerk/Bd. Member & Date

Town Counsel
Eliz. Updike

RECEIVED

10 APR 13 AM 11:45

TOWN OF LEXINGTON
ELIZABETH L. DELANEY
TOWN CLERK

MAY 10

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
May 10, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements
- CHS Alumni Association Awards Night – May 19
- Chelmsford Stars Come 4th Event – May 20

Open Session

Scheduled Business

- Java Room – Outdoor Seating
- Doug Hausler – 24 Linwood Street
- Tim McIlvenna – US Census update
- 7:45 p.m. <u>Public Hearing</u> - National Grid / Verizon / Comcast Petition for Underground Conduit – Center Utility Project, Verizon pole petition
- Chelmsford Water District Annual Update

Town Manager Reports
- July 1 Updates to the Open Meeting Law

Town Manager Bid Awards
- Towing and Storage of Vehicles

Town Manager Appointments
- Open Space and Recreation Plan Committee

BOS Meeting Minutes
- BOS Regular Meeting Minutes – March 22, 2010
- BOS Re-org Meeting Minutes – April 8, 2010

Unscheduled Business
- BOS liaison to Commission on Disabilities

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: May 24, 2010

*** This meeting is televised. ***

Approved 6/7/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
May 10, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Sean Scanlon, Selectman
Jon Kurland, Selectman
Matt Hanson, Clerk

Paul Cohen, Town Manager

Chairman Dixon called the meeting to order at 7:04PM.

Public Service Announcements
Chelmsford High School Alumni Association Awards Night-May 19, 2010
George Simonian spoke on behalf of the Alumni Association to announce this event, which will begin at 7:30PM at the Chelmsford High School Performing Arts Center. About $45,000.00 will be awarded in 683 scholarships.

Chelmsford Stars Come 4th Event-May 20
Mr. Cohen announced this event will begin at 7PM at the Performing Arts Center, and will feature 15 finalists, and a guest appearance by Rick Larimore. Mr. Cohen reminded residents that this year's July 4th parade will be on July 5th, starting at 10AM.

Open Session
Arlen Olari, 3 Vincent Rd., came before the Board to request assistance with speaking to Verizon in regard to a junction box that was installed near the intersection of Vincent and Mill Roads. He is concerned that the 34"x13"x21" box, which is installed 4 feet up from the ground, poses a safety hazard, is unsightly, and is susceptible to vandalism. Verizon did not contact abutters about installing the box, and Mr. Olari did not receive a response from Verizon until six weeks after his call. Chairman Dixon agreed to meet with a Verizon representative and Mr. Olari, as it appears several complaints have been received throughout town regarding various boxes that have been installed.

Lenny Keirstead, 7 Vincent Rd., also said the box installed by Verizon is ugly. When he called Verizon, he was told the boxes are placed to minimize the use of bucket trucks. He feels this is not an acceptable excuse, as the employees used to be required to climb poles to do work on poles.

Mr. Cohen provided a general announcement to residents that FEMA is still accepting disaster relief requests from the March rain storms. People can apply for assistance by calling 1-800-621-3362, or by going online to www.disasterassistance.gov.

Scheduled Business

Java Room-Outdoor Seating
No one was present from the Java Room to discuss this application.

Doug Hausler-24 Linwood St.
Atty. Hausler spoke on behalf of Thomas and Karen Bagni, who reside at 24 Linwood St. Atty. Hausler provided background on work that was done to the property by the DPW to address drainage issues coming from North Rd. Atty. Hausler argued that a 140 foot trench that was dug on the Bagni's property

by the DPW was not included in the scope of work approved by the Conservation Commission on December 27, 2001. There was no record of an easement being approved to take the land on file with the Registry of Deeds. No other permits exist. After waiting several years for the DPW to come back and finish their work with the trench, Mr. Bagni began flattening out some of the dirt that was left in a pile himself. He was later served with a citation from the Conservation Agent to stop work, stating he was filling in wetland on his property without the proper permit, in violation with the Wetlands Protection Act. Mr. Bagni was able to obtain a new Order of Conditions in 2009 to resolve the issue, which is being appealed by the DEP. Atty. Hausler asked the Board to make the Town comply with the law the same way his client has had to. Mr. Bagni is asking to be compensated for the land he is no longer able to control, or that the DPW restore the land to its prior condition, prior to 2001. The existing trench poses a safety hazard, as it is 4-6 feet deep, and someone could fall into it and be hurt. David McLachlan of the Conservation Commission stated the citation involved a different area in the back of Mr. Bagni's property, and did not involve the trench at all.
Selectman Kurland questioned why Mr. Bagni did not come forward in 2001 to complain about the dirt and material that was left after the trench was dug. Mr. Bagni met with Bernie Lynch in 2005, but nothing was ever resolved. Atty. Hausler maintains that the DPW had no authority to do the work, and the problem has not been fixed. Water would pool in Mr. Bagni's backyard, and he started moving the dirt himself to flatten the area, hoping to stop the pooling, and save the Town some money. Atty. Hausler is prepared to file a continuing trespass suit against the Town. Mr. Cohen admitted work was done by the Town in 2001. Work done by Mr. Bagni was not done until 5-6 years later. A dispute of facts did not occur until 2009, when Mr. Bagni was cited via an enforcement order by the Conservation Agent. Mr. Bagni admitted the work done by the Town was done well, and the Town has a responsibility to maintain drainage ditches, which was done. Mr. McLachlan explained the Order of Conditions from 2009 pertains to the intermittent stream in the back of the property, not the stream on the right side of the property. Jim Pearson, DPW Director came forward to explain the pipe that runs under North Rd. was installed in 1950, and allowed the stream to pass under the road. Stream cleaning has been done by the request of property owners since 1976, and he has never received any complaints from the Bagni's until they were cited in 2009. The trench was cleaned in 2001 in response to a neighbor's complaint of flooding. Once the trench was cleaned, the flooding stopped. The trench in question is actually 3-4 feet deep. Chairman Dixon requested continuance of this matter for a future meeting. Atty. Hausler is willing to hear other solutions prior to filing suit.

Tim McIlvenna-US Census Update
Mr. McIlvenna explained the Committee's work to date, which mostly involved getting the word out. The mail response rate to the census questionnaire in Chelmsford was 82%, the highest for surrounding towns in this area. Mike Rigney explained that census workers are visiting homes, and people will not be asked about Social Security or bank account numbers. The total population count will be delivered to the President in December, 2010, and later to the states. Redistricting will begin in 2012.

Public Hearing-National Grid/Verizon/Comcast Petition for Underground Conduit-Center Utility Project
Bob Hebert from National Grid, Joe Gaudet from Comcast, and Joseph Gleason from Verizon were present for questions. Plans and maps are available for the interested public. This project will cover placing underground conduit in Chelmsford Center from Fletcher St. to Littleton Rd. There will be no loud noisy equipment; contractors will do as much work as possible at night, to minimize traffic disruption. The project should take 4-5 months to complete. BOS approval is needed prior to obtaining their state license to complete the work. They hope to begin work in September.

Audience Comments:
Peggy Dunn, Precinct 2, requested and received a copy of the plans.

Selectman Dahlberg asked when the surcharge issues would be resolved. Mr. Cohen explained the process is being heard by the legislature now. The money will remain in an escrow account until the project is completed.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the requested petitions by National Grid, Verizon and Comcast. Seconded by Selectman Hanson.

Before the Board could vote, Mr. Gleason requested that the motion be changed to reference each company's separate petition.

Motion amended: by Selectman Dahlberg to approve Verizon's petition to remove one pole and place one pole on North Rd., and place one pole on Fletcher St. and to lay and maintain underground laterals, cables and wires in the above and intersecting ways for the purpose of making connections with such poles and buildings as said petitioner may desire for distributing purposes, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve National Grid's petition to lay and maintain underground laterals, cables and wires in the above and intersecting ways for the purpose of making connections with such poles and buildings as said petitioner may desire for distributing purposes, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve Comcast's petition to lay and maintain underground laterals, cables and wires in the above and intersecting ways for the purpose of making connections with such poles and buildings as said petitioner may desire for distributing purposes, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Center Water District Annual Report
George Allen of Stan-Tec Consulting spoke on behalf of the Chelmsford Center Water District to provide their annual report. Ronald Wetmore, Roger Mann, John Harrington and Robert Delaney were present for questions. A copy of the outreach pamphlet, a map of the three water districts, and a history of the district were shown. Photos of their facilities were shown, and other statistics and recent activities were provided. Don Kaplan, 189 Littleton Rd. asked what was added to the water when it is being treated. Mr. Allen explained that iron and manganese are removed to prevent staining, and potassium hydroxide is used to adjust the PH to minimize reactions with lead and copper plumbing.

Town Manager Bid Award
Towing and Storage of Vehicles
Mr. Cohen announced that three bids were received for this RFP, and the high bidder was Ferreira's Towing. Letters of recommendation were included in the bid, and Chief Murphy had no issues with the company. This will be a three year contract.

Motion: by Selectman Dahlberg to approve the Town Manager's recommendation for a three year bid award to Ferreira's Towing for the Towing and Storage of Motor vehicles contract. Seconded by Selectman Hanson.

Selectman Kurland had concerns as the bid exceeds the legal limit for towing by $.25. Mr. Cohen did not share this concern, and felt if there was a performance problem with the company, the contract could be terminated. The company does other forms of work, so it appears they are donating funds raised through the towing portion of the contract to the town. If the contract is rescinded, the work would go to the next bidder while the situation is investigated. The town orders about 750 tows per year, mostly from accidents.

Chris Ferreira, from Christopher's Towing asked the Board to delay their vote until the next meeting. Mr. Ferreira explained that he reviewed the bid for the winning bidder, and there are some discrepancies &

misleading information he would like to discuss with the police chief. Mr. Ferreira went on to list employee discrepancies, incorrect contract references, prior terminated contracts, employee honesty and equipment safety concerns. Mr. Cohen acknowledged hard feelings between the two companies, as similar allegations came forward when the prior contract was bid out. An added caveat of this contract is that employees will need to pass a CORI check.

Sharon Constantineau, Dick Mason and Mary Jo Glynn were present from Ferreira's Towing. Ms. Constantineau felt any company was going to have some issues; they have been in business for 40 years. They can perform light and heavy towing, vehicle inspections and repair work. Their profit margin was not the concern of this Board. Mr. Mason confirmed that the towing incident on Summer St. involving a Verizon truck that fell off their truck was a mechanical issue that occurred when the cable broke. In effect, their bid is a donation to the town, which they stand by as trying to help the Town during a difficult economic time. The Town was invited to audit their records at any time.

Mr. Cohen advised he will stand by his decision. Selectman Kurland wished to delay the vote. Selectmen Scanlon, Dahlberg, Hanson and Chairman Dixon were comfortable voting this meeting.

Motion: by Selectman Dahlberg to approve the Town Manager's recommendation for a three year bid award to Ferreira's Towing for the Towing and Storage of Motor vehicles contract. Seconded by Selectman Hanson. Selectman Kurland opposed, all others in favor. **Motion carries.**

Town Manager Reports
July 1 Updates to the Open Meeting Law
Mr. Cohen briefly updated the Board on new requirements under the new Open Meeting Law, which becomes effective July 1, 2010. The 48 hour posting requirement is counted for business days, and no longer includes weekends and holidays. The AG's office is forwarding guidance on how to comply with the outdoor meeting board, which must be lit and ADA accessible. Internet and cable TV postings do not count, as not all residents have access to such services. E-mails will be considered deliberations, so cannot be used outside of open session. Quorums have been clarified. The AG's office will be the monitoring agent, not the DA's office, as in the past.

Economic Development Committee
Senator Susan Fargo has offered to assist this committee with their work.

Reimbursement of Special Election Costs
Mr. Cohen announced that the Town will receive supplemental reimbursement of Special Election costs in the amount of $21,000.00, which is an increase over the $9700.00 originally promised.

Town Manager Appointment
Open Space and Recreation Plan Committee

Motion: by Selectman Dahlberg to approve the Town Manager's appointment of Stephen Pincher, 83 Robin Hill Rd. to the Open Space and Recreation Plan Update Committee for a term to expire June 30, 2010. Seconded by Selectman Kurland. **Motion carries, unanimous.**

BOS Meeting Minutes

BOS Regular Meeting Minutes-March 22, 2010
Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of March 22, 2010 as presented. Seconded by Selectman Hanson. Selectmen Hanson and Kurland abstained, all others in favor. **Motion carries.**

BOS Re-Org Meeting Minutes-April 8, 2010

Motion: by Selectman Dahlberg to approve the Re-organization Meeting Minutes of April 8, 2010 as presented. Seconded by Selectman Kurland. Selectman Hanson abstained, all others in favor. **Motion carries.**

BOS Regular Meeting Minutes-April 12, 2010
Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of April 12, 2010 as presented. Seconded by Selectman Kurland. Selectman Hanson abstained, all others in favor. **Motion carries.**

BOS Executive Session Meeting Minutes-April 12, 2010
Motion: by Selectman Dahlberg to approve but not release the Executive Session Meeting Minutes of April 12, 2010 as presented. Seconded by Selectman Kurland. Selectman Hanson abstained, all others in favor. **Motion carries.**

Unscheduled Business
BOS Liaison to Commission on Disabilities
Chairman Dixon offered to be the new Board of Selectmen liaison to the Commission on Disabilities.

Selectmen Referrals

Selectman Kurland:
On May 15, 2010, from 9AM-2PM at McCarthy Middle School car wash by the CHS Class of 2012.

The Promise of Hope wine tasting will be held in Billerica on May 15, 2010 at the Courtyard by Marriott from 6-9PM. More information can be obtained from www.teamhope.info .

The Chelmsford Girl Scout sign-up will be held at the library on May 11, 2010 from 4:30-7:30PM.

Selectman Kurland is looking for a volunteer with IT experience to help him design a new volunteer website.

Selectman Hanson:
No Referrals

Selectman Scanlon:
He attended a volunteer fair sponsored by the National Guard to discuss the Military Community Covenant Task Force, and received interest from other towns who would like to set up a similar program.

There is a non-profit agency in California collecting hair in an effort to clean up the oil spill in the Gulf of Mexico. Selectman Hanson offered to assist in collaborating with local hair salons and others interested in collecting material.

Motion: by Selectman Scanlon to create an initiative throughout the Town Offices to print in-house documents in Century Gothic font to save on ink costs. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Selectman Dahlberg:
On May 11, 2010 at 4:30PM, the Chelmsford Green Initiative will welcome its newest member and business participant, Enterprise Bank.

Chairman Dixon:
The Paul Center is holding their annual golf outing on May 24, 2010 at Sky Meadows Country Club. The cost is $150.00 per player.

Press Questions

No Press were present at this time.

Executive Session

Motion: by Selectman Dahlberg to adjourn into Executive Session for the purposes of discussing strategy of current litigation. Seconded by Selectman Kurland. Roll Call Vote:

Selectman Scanlon: Aye
Selectman Dahlberg: Aye
Chairman Dixon: Aye
Selectman Hanson: Aye
Selectman Kurland: Aye

Regular Meeting Adjourned at 9:35PM
Next Regular Meeting: May 24, 2010

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
May 24, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements *Tab 1*
- Memorial Day Parade
- BPAC Helmet Grant
- Recognition for Alisa Nakashian-Holsberg
- Committee Vacancies – Military Community Covenant

Open Session

Scheduled Business

- Java Room – Outdoor Seating *Tab 2*

7:30 p.m.
- Public Hearing: The Meat House – Beer & Wine Package Store License *Tab 3*
- National Grid Underground Conduit Petition – Ledge Road *Tab 4*

Town Manager Reports *Tab 5*
- License Agreement w/ Epsilon Group re: Fire Station ramp and sidewalk to Town Hall
- Fire Chief Selection Process

Town Manager Appointments *Tab 6*
- Temporary Members to Permanent Building Committee

BOS Appointments *Tab 7*
- Board of Registrars

BOS Meeting Minutes *Tab 8*
- BOS Regular Meeting Minutes – May 10, 2010
- BOS Executive Session Minutes – May 10, 2010

Unscheduled Business *Tab 9*
- BOS Goals 2010 / 2011

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: June 7, 2010

*** This meeting is televised. ***

Approved 6/21/10

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
May 24, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk
Paul Cohen, Town Manager

Not Present:
Sean Scanlon, Selectman

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass.

Chairman Dixon called the meeting to order at 7:02PM.

Former Selectmen Clare Jeannotte and Patricia Wojtas were each presented with an engraved wooden chair commemorating their time spent on the Board of Selectmen. Ms. Wojtas thanked the Board for the gift, and felt many things were accomplished while she was there. Mrs. Jeannotte was honored to accept the gift, and wished the current Board luck.

Public Service Announcements
Memorial Day Parade
Proclamation was read by Selectman Dahlberg. Regina Jackson, Veteran's Agent accepted the proclamation and announced that the parade would begin at 10AM at the Stop & Shop parking lot, to end at the Town Common. A meeting will be held after the parade at the Freeman Lake Legion Post. A service will be held on Saturday, May 29, at 2PM at the Veteran's Memorial Park. Flags have been replaced at the 6 cemeteries in Town.

BPAC Helmet Grant
Tom Gazda, BPAC Chairman, announced the group has been awarded a grant of 125 bicycle helmets, to be given out to the public. Dates and locations of the distribution will be announced after the helmets are received. Mr. Gazda provided reminders for helmet laws and safety.

Recognition for Alisa Nakashian-Holsberg
A proclamation was read by Selectman Dahlberg, and Ms. Nakashian-Holsberg was thanked for a successful community grass roots effort in regard to the proposed asphalt plant in Westford.

Committee Vacancies-Military Community Covenant
Interested residents were encouraged to contact the Town Manager's office to apply for the available opening within this Committee.

July 4th Parade
Mr. Cohen wished to recognize the efforts behind the most recent banner hanging. The parade will start at 10AM on July 5th, from the McCarthy School.

Open Session

No one came forward at this time.

Scheduled Business

Java Room-Outdoor Seating
Candy Liu was present to answer questions regarding a request to have 8 outdoor seats with 4 tables. No additional questions were asked by the Board, and there were no comments from the audience.

Motion: by Selectman Hanson to approve a total of 60 seats to include 8 outdoor seats for the Java Room, to be exercised at their premises at 14 Littleton Rd., Chelmsford.

Mr. Cohen requested a point of order, that the Public Hearing needed to be closed prior to the vote being taken. **Motion withdrawn.**

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Hanson to approve a total of 60 seats to include 8 outdoor seats for the Java Room, to be exercised at their premises at 14 Littleton Rd., Chelmsford. Seconded by Selectman Dahlberg. **Motion carries, unanimous.**

Town Manager Reports
Green Community Designation
Mr. Cohen wished to inform the Board the Chelmsford has been officially recognized as a "Green Community", and will now be eligible to apply for grant funding for energy and other "green" initiatives.

Verizon Cable Box Update/Mill Rd.
Mr. Cohen spoke with Stan Usevich of Verizon, and confirmed that the work order has been approved to elevate the cable box on Mill Rd., as requested by local residents in the area.

License Agreement with Epsilon Group-Fire Station Ramp and sidewalk to Town Hall
Mr. Cohen announced this agreement was signed to allow access and egress for the Fire Department, as well as overflow capacity for public events being held at the Town Hall.

Public Hearing: The Meat House-Beer and Wine Package Store License
Atty. Joseph Tarby spoke for the applicant. Plans and certified cards were submitted to Mr. Cohen. BM Carpenter, LLC plans on opening a butcher shop and is requesting a beer & wine license, as part of a franchise agreement that Mr. Carpenter has with the Meat House. This location is the first of four he is required to open under the agreement. The shop will be open 7 days per week, 9AM-7PM, and will offer 18 full and part time employment opportunities. Mr. Carpenter has 25 years restaurant management experience while working for the 99 Restaurant. Proper training will be provided. Approximately 6-7% of total sales will be beer and wine. Not all Meat House stores sell beer and wine. There will be no consumption of alcohol on the premises. Mr. Cohen noted there are no current businesses in town with this type of license, but there have been such licenses granted in the past.

Audience Comments:
Peggy Dunn, 2 Bridge St., questioned whether the Town needs another location selling beer and wine in town, and she was under the impression that grocery stores in Massachusetts were not allowed to sell alcohol. Mr. Cohen explained a limited number of these licenses are allowed in the state. The Alpine Butcher in Lowell has this type of license.

Clare Jeannotte, 3 Hawthorne Lane, supports the applicant as the Town has done a lot of work to attract new business.

Selectman Hanson asked what the percentage of each type of sales would be. Mr. Carpenter projected that 55-60% would be sale of meat, 6-7% would be beer & wine, sandwiches would account for 1%, cheeses 7%, and all other complementary products would be the remaining percentage. All food is take-out, except for small samples on chafing trays.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Chairman Dixon explained that the application would be held for two weeks, as per Board policy.

Public Hearing-National Grid Underground Conduit Petition-Ledge Rd.
David Boucher spoke on behalf of the applicant. Electricity is needed for the pumping station on Ledge Rd. The request is being made to place conduit from Pole 1 to the site of the station. DPW has stated it supports the petition. No further questions from the Board, no comments from the audience.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Kurland. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve National Grid's petition to lay and maintain underground laterals, cables and wires in the above and intersecting ways for the purpose of making connections with such poles and buildings as said petitioner may desire for distributing purposes, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Reports
Fire Chief Selection Process
Mr. Cohen informed the Board that he would be utilizing the services of an assessment center to assist in approving a suitable candidate for the new Fire Chief. He expects to narrow down the finalists to 5-6 candidates. Mr. Cohen expects to have a recommendation by September, around Labor Day. Four proposals are being considered. Use of this service is a common practice in other municipalities, and will cost in the range of $8,000-10,000.00. The new chief will be required to live within 15 miles of the town, and will be given a 30 day period to communicate with the current Chief. Selectman Dahlberg requested an explanation on why a Public Safety Chief to cover both Fire and Police departments was not a viable option. Mr. Cohen explained that Mass General Laws prohibit one person from doing both Fire and Police duties. A deputy would still be highly compensated; therefore the Town would not realize any financial benefit.

Town Manager Appointment
Temporary Members to Permanent Building committee
Mr. Cohen explained the temporary members to this committee would assist during the time of the Town Halls renovation projects and the DPW project.

Motion: by Selectman Dahlberg to confirm the appointments of Jim Pearson as temporary member on behalf of the DPW, Susan Gates as temporary member for the Center Town Hall, and Laura Lee as temporary member for the North Town Hall of the Permanent Building Committee. Seconded by Selectman Kurland. **Motion carries, unanimous.**

Board of Selectmen Appointment
Board of Registrars

Motion: by Selectman Dahlberg to approve the appointment of Matthew Dulchinos to the Board of Registrars for a term to expire June 30, 2013. Seconded by Selectman Kurland. **Motion carries, unanimous.**

BOS Meeting Minutes

BOS Regular Meeting Minutes-May 10, 2010
Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of May 10, 2010 as amended. **Motion withdrawn.** Approval tabled until the next meeting.

BOS Executive Session Meeting Minutes-May 10, 2010
Motion: by Selectman Dahlberg to approve but not release the Executive Session Meeting Minutes of May 10, 2010 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Unscheduled Business
BOS Goals 2010-2011
The Board reviewed the list of proposed goals for the next year, which included Master Plan Implementation, Health Insurance Cost Containment, and the Fire Department Headquarters Facility. Other planned activities will concern Community and Economic Development, financial sustainability, public outreach and monitoring the State Legislatures re-districting efforts. Selectman Kurland is looking for up to 2 additional volunteers to assist with the Volunteer Website design. Items will be deleted from the list as they are completed.

Pat Wojtas explained she attended a NPO meeting regarding the Commuter Rail system, which could be expanded through Nashua, Manchester and into Concord, NH. An additional exit off Rt. 3 at the Pheasant Lane Mall was also discussed. Ms. Wojtas will ask NMCOG to appear at a future meeting to provide a more detailed update.

Mr. Cohen explained there is 10 years left on the lease of the Oddfellows building before it reverts back to a real estate trust, which has no identified owner, and was last known to be in California. The bank that currently manages the building is interested in working with the Town to find interested tenants, which will be difficult due to the time limit of the lease agreement. Chairman Dixon felt the building is becoming a health and public safety issue. The Dutton Building will also be coming up for discussion of possible uses.

Motion: by Selectman Dahlberg to accept the Board of Selectmen Goals for 2010-2011 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Selectmen Referrals

Selectman Kurland:
The Selectman will be available for resident discussion on June 5, at 9AM at the Java Room.

Selectman Hanson:
The Selectman will attend a School Committee meeting on May 25, and he visited the Westlands gazebo site. Rain collection efforts were discussed, and the parking lot improvements for the former school were also discussed. The Chelmsford Open Space Stewardship (COSS) is looking for donations to renovate the gazebo. More information is needed regarding a Memo of Understanding between the School Committee and COSS.

Selectman Hanson will be at the Java Room from 4-6PM on Wednesday, May 26, for open discussion.

Selectman Dahlberg:
The Chelmsford Dog Association had their Spring Yard Sale on May 22, 2010.

An Elm tree will be planted at the Parker Middle School as a Boy Scout project.

The Chelmsford Senior Center will host a discussion with a representative from Elder Affairs.

Chairman Dixon:
The Paul Center held their annual golf outing on May 24, 2010 at Sky Meadows Country Club, which was very successful. Thanks to all that helped.

Press Questions
Chloe Gotzis of the Chelmsford Independent requested clarification of what the assessment company would do when looking at Fire Chief applicants. Mr. Cohen explained the evaluation consists of role play and simulation exercises, among other things. Finalists will be narrowed down to 5-6 applicants based on their resumes and interviews.

Executive Session

Motion: by Selectman Hanson to adjourn into Executive Session for the purposes of discussing the recently approved tow contract.

Mr. Cohen explained this was not a valid reason to go into Executive Session. **Motion withdrawn.**

Regular Meeting Adjourned at 8:38PM
Next Regular Meeting: June 7, 2010

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen Work Session

Date of Meeting: Monday, May 3, 2010 **Time:** 7:00 pm

Location: Town Offices Room Number: 204
Name of Building

50 Billerica Rd.
Street Address

Elizabeth H. Delaney

Town Clerk's Signature

Clerk/Bd. Member & Date

Liaison Assigments cont.
Goals;

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, May 10, 2010 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

51 Billerica Rd

Street Address

Elizabeth H Delmey

Town Clerk's Signature

Lucia Quinn 3/25/10

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, May 24, 2010 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd.

Street Address

Elizabeth F. Delaney

Town Clerk's Signature

Tricia Quinn 3/25/10

Clerk/Bd. Member & Date

JUN 10

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
June 7, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements
- ATEF Awards

Open Session

Committee Vacancies

Scheduled Business
- The Meat House – Beer & Wine Package Store License
- 7:30 p.m. Public Hearing - RSRS Foods, LLC d/b/a Tulsi Fine Indian Cuisine – Beer & Wine License
- 7:35 p.m. Public Hearing - Moonstones – Expansion of Premises
- 7:40 p.m. Public Hearing - Center Brickhouse Pizza – Expansion of Premises

Town Manager Reports
- Fire Chief Assessment Center

Town Manager Bid Awards
- DPW Highway Materials

Town Manager Appointments
- Annual Appointments

BOS Appointments
- Annual Appointments

BOS Meeting Minutes
- Regular Meeting Minutes – May 10, 2010

Unscheduled Business
- Board of Selectmen Meeting Schedule

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: June 21, 2010

*** This meeting is televised. ***

Approved 6/21/10

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
June 7, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass.

Chairman Dixon called the meeting to order at 7:10PM.

Public Service Announcements
ATEF Awards
Kirk Marshall spoke on behalf of the Arts and Technology Education Fund to announce this year's 7 grant winners. He thanked the Board for their support, and the support of the general public, as the fund receives its money from private donations. Grant recipients were presented with certificates that stated the amount of the grant and why it was awarded.

One Book Chelmsford Library Event
Mr. Cohen announced that author Dennis Lehane would be at the Performing Arts Center on June 13,2010 at 1pm. Admission is free, interested residents can register to attend by calling the library, or registering on their website.

Open Session
Phil Stanway spoke on behalf of the Chelmsford Open Space Stewardship (COSS) to invite residents to several events. The Westlands Gazebo work session will be on June 12, from 9AM-12PM, there will be a work session at the Veteran's Memorial Park at 10AM on the same day, and the dedication of the Richard St. Onge Handicap Accessible Garden at Sunny Meadow Farm will be held on June 19, 2010, starting at 10AM. Chairman Dixon thanked Mr. Stanway for the work accomplished by COSS.

Committee Vacancies
Mr. Cohen listed openings available on various Town Committees, and encouraged interested residents to apply online or through the Town Manager's office.

Scheduled Business
Public Hearing: The Meat House-Beer and Wine Package Store License
Paul Polcari was present for the applicant. Chairman Dixon requested that the hearing be postponed, as Selectman Scanlon had not had a chance to view the video from the prior meeting. Mr. Polcari agreed to continue the hearing until June 21, 2010.

Town Manager Appointment
Annual Appointments
A list of annual Committee appointments was provided for the Board's review.

Motion: by Selectman Dahlberg to confirm the appointments of the ADA Coordinator, 2 members of the Arts and Technology Fund, 2 members of the Bicycle and Pedestrian Advisory Committee, 4 members for the Board of Appeals, 1 member for the Board of Assessors, 2 members for the Commission on Disabilities, 7 members for the Community Action Program Committee, 1 member for the Conservation Commission, 6 members for the Council on aging, 2 members for the Economic Development Commission, 4 members for Emergency Management, 1 member of the Energy Conservation Commission, 1 Fence Viewer, ! member of the Great Brook Farm Advisory Board, 1 Hazardous Waste Coordinator, 1 member of the Historic Commission, 9 members for the Local Emergency Planning Committee, 3 members for the Middlesex Canal Commission, 1 member of the Recycling Committee, and 2 Sexual Harassment Grievance Officers. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Board of Selectmen Appointment
Annual Appointments
A list of annual appointments by the Board was provided for verification.

Motion: by Selectman Dahlberg to approve the appointments of 7 members of the Affordable Housing Plan Committee for a term to expire June 30, 2011, 2 members of the Capital Planning Committee for a term to expire June 30, 2011, 2 members for the Personnel Board for a term to expire June 30, 2012, and 3 members of the Public Celebrations Committee for a term to expire June 30, 2011. This motion includes approval of John Giorgio and the Law Firm of Kopelman and Paige to continue as Town Counsel for a term to expire June 30, 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

BOS Meeting Minutes

BOS Regular Meeting Minutes-May 10, 2010

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of May 10, 2010 as amended. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Unscheduled Business
Board of Selectmen Meeting Schedule
A proposed meeting schedule for the reminder of 2010 was provided for the Board's review. At this time, there are no conflicts.

Public Hearing-RSRS Foods, LLC d/b/a Tulsi Fine Indian Cuisine-Beer & Wine License
Atty. Douglas Hausler spoke on behalf of the applicant, who wishes to open a restaurant at 7 Summer St., to include 96 seats. The restaurant will occupy 3200SF, and will serve lunch and dinner. Proper TIPS certification will be required, resumes of principals were provided with the application. Hours of Operation will be 11AM-10PM, 7 days per week. The applicant is aware of the Board's policy of having a two week waiting period. No further questions from the Board, no comments from the audience.

Motion: by Selectman Dahlberg to continue this hearing until June 21, 2010.

Atty. Hausler requested a point of Order stating he has no issues with continuing the hearing, but thought the Public Hearing should be closed. The Board was satisfied that a continuance was in order.

Motion: by Selectman Dahlberg to continue the hearing for RSRS Foods, LLC d/b/a Tulsi Fine Indian Cuisine for a Beer & Wine Restaurant License to be exercised on the premises at 7 Summer St. until June 21, 2010, as per Board policy. Seconded by Selectman Kurland. **Motion carries, unanimous.**

Public Hearing-Moonstones-Expansion in Premises

Steve Simone, General Manager of Moonstones filed a request for 32-40 outdoor seats. Mr. Cohen noted that the application is for 32 seats specifically. Current seating is 130, with a capacity for 180, and sufficient parking exists. The hours of operation will remain the same; the existing patio will be secured with railings. There will be 8 tables with 4 chairs each, 4 tables on each side of the door.

Audience Comments:

Dorothy Ayer, 188 Chelmsford St., stated she had no objections to the request as the applicant is a good neighbor, and she recommended that noise be monitored for homes close to the restaurant.

Kathy Kelly, Best Western Hotel and Landlord for Moonstones fully supported this request as the operation is run very well, and one prior complaint regarding timing of trash pickup was resolved immediately.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the Alteration of Premises for Outdoor Seating for 32 additional seats for KMP Restaurant Group, Inc., d/b/a Moonstones, on their All Alcoholic Restaurant License to be exercised on the premises at 185 Chelmsford St. Seconded by Selectman Kurland. **Motion carries, unanimous.**

Public Hearing-Center Brickhouse Pizza-Expansion of Premises
Atty. Angelique Eliopoulos spoke on behalf of the applicant, who is requesting an expansion of their Liquor License. Background of the applicant was provided, and the restaurant currently has 74 seats, including 10 outside seats. The deck has been expanded to accommodate more outside dining, weather permitting. Seats currently located upstairs would be moved outside, so that total seating will remain at 74. The expansion has been approved by the ABCC. Mr. Emerson, an abutter, has voiced concern, however, the applicant has received no complaints on file with the police or fire departments, and the applicant intends to continue to be a good neighbor. A request by the applicant to have an outside tent for July 4 has been removed due to abutter concerns. Selectman Kurland noticed that the request is for 10 additional outside seats; however, the plans show 12 seats. Atty. Eliopoulos conformed that the request is for 10 additional outside seats.

Audience Comments:

Atty. Bob Lavoie spoke on behalf of the Bradford Realty Trust, Brad Emerson trustee, to state his client's chief concern is noise, as there are residential abutters and hotel apartments nearby. Although no official complaint was filed, there were allegations of overcrowding at the applicant's prior Thanksgiving event. Mr. Emerson further requests that there be no noise other than diner's conversation, no standing outside, and no alcohol outside on Sundays out of concern for AA meeting attendees at the church next door.

Atty. Eliopoulos maintained the request for alcohol being allowed outside for all seven weekdays, and her client would address any future concerns immediately. Mr. Emerson or his attorney were invited to meet with applicant at any time. Any outside requests for entertainment would require prior approval by the Board of Selectmen.

Atty. Lavoie asked if outside alcohol could be limited up to 8:30PM.

Atty. Eliopoulos requested that alcohol be allowed outside during all of the restaurant's approved hours of operation. The deck is being utilized now, with no complaints to date, and no concern has been raised by either of the nearby churches.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Kurland. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve an Alteration of Premises for Outdoor Seating for an additional deck for 20 seats to Center Brickhouse Pizza, Inc. d/b/a Brickhouse Center Pub & Pizzeria to be exercised on the premises at 1 Central Square with the condition that the total seating capacity will remain at 74 seats inside and out. Seconded by Selectman Hanson.

Motion Amended: by Selectman Kurland to approve an Alteration of Premises for Outdoor Seating for an additional deck for 22 additional seats for a total of 32 outside seats to Center Brickhouse Pizza, Inc. d/b/a Brickhouse Center Pub & Pizzeria to be exercised on the premises at 1 Central Square with the condition that the total seating capacity will remain at 74 seats inside and out. Seconded by Selectman Dahlberg. **Motion carries, unanimous.**

Town Manager Reports
Fire Chief Assessment Center
Mr. Cohen informed the Board that 4 proposals were reviewed in choosing an assessment firm to select a new Fire Chief. The recommended company has worked with the Town on prior occasions, and the firm meets qualifications for a reasonable price.

Motion: by Selectman Dahlberg to approve the Town Manager's recommendation to award the Fire Chief Assessment contract to MMA Consulting Group of Brookline, Ma. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Bid Award
DPW Highway Materials
Mr. Cohen informed the Board that this annual bid process has been reviewed and approved by Jim Pearson, DPW Director.

Motion: by Selectman Dahlberg to approve the Town Manager's recommended 12 bid awards for DPW Highway materials and services for 2011as presented. Seconded by Selectman Hanson. **Motion carries, unanimous**.

Selectman Kurland received clarification on how the contingency plan regarding item 1D operated.

Selectmen Referrals

Selectman Kurland:
Residents were reminded and encouraged to attend COSS's work sessions and public event at Sunny Meadow Farm.

Selectman Hanson:
Selectman Hanson reminded residents he would be available for comments at the Java Room on Wednesday, June 9, from 4-6PM.

Selectman Scanlon:
The Board was thanked for allowing him more time to hear testimony regarding the Meat House application for a Beer & Wine license.

Selectman Dahlberg:
Selectman Dahlberg attended the Lacrosse Playoff games, and congratulated participants for doing a good job.

Chairman Dixon:
Matt Whippen was congratulated for winning the All American Lacrosse Player Award.

Congratulations were given to all Class of 2010 graduates.

Press Questions
No one came forward at this time.

Executive Session
Not needed this evening.

Regular Meeting Adjourned at 8:10PM
Next Regular Meeting: June 21, 2010

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

Approved 7/12/2010

Office of the Board of Selectmen

50 Billerica Road
Chelmsford, MA 01824-2777

978.250.5201
Fax: 978.250.5252

BOARD OF SELECTMEN MINUTES
Thursday, June 10, 2010
50 Billerica Road, Town Offices

Attending:

George R. Dixon, Jr., Selectman Chairman
Eric R. Dahlberg, Selectman Vice Chairman
Matthew J. Hanson, Selectman Clerk
Sean M. Scanlon, Selectman
Jon H. Kurland, Selectman

Paul Cohen, Town Manager

5:45 pm
Chairman George Dixon called the meeting to order.

Schools Project Funding Agreements
Town Manager Paul Cohen informed the Board that Town Accountant Darlene Lussier, Finance Director John Sousa, Director of Public Facilities Gary Persichetti, School Building Committee Chairman Pat Maloney, and he have been working closely over the past few weeks to obtain the Massachusetts School Building Authority's (MSBA) reimbursement for the McCarthy Middle School and Parker Middle School projects. He noted that the Town's short term note on the State's portion of the construction cost is due next Wednesday. He explained that Town officials have reached agreement with the MSBA on project eligible costs for reimbursement for each of the school construction projects. He elaborated that the MSBA policy does not provide reimbursement for legal expenses, printing, asbestos removal, and certain other project related costs.

Town Manager Cohen further explained that the MSBA is scheduled to wire the Town 95% of the eligible reimbursement on Monday. He informed the Board that the MSBA holds a 5% retainage until the formal MSBA Board vote, which is scheduled in July. The MSBA is requiring that the Town execute Project Funding Agreements for each of the two middle school projects. He also explained that the MSBA also discovered that it did not have a Project Funding Agreement for the Chelmsford High School project that it reimbursed the Town two years ago. Therefore, the Town will also be signing a Project Funding Agreement for the Chelmsford High School Project. The MSBA required the Town to have Town Counsel certify who has the legal authority to execute the Project Funding Agreements on behalf of the Town. He distributed the Project Funding Agreements for the Chelmsford High School Project, the Chelmsford McCarthy Middle School Project, and the Chelmsford Parker Middle School Project, along with the attached legal opinions which read that the Town Manager executes the Project Funding

Agreements with the approval of the Board of Selectmen. Mr. Cohen concluded by informing the Board that the MSBA is seeking is certified copy of each vote on Town letterhead.

Selectman Eric Dahlberg made the following motion:

"Move that the Board of Selectmen vote to approve the Project Funding Agreement between the Town of Chelmsford and the Massachusetts School Building Authority for the Chelmsford High School Project, which agreement will be signed by the Town Manager on behalf of the Town."

The motion was seconded by Selectman Matthew Hanson. The motion was approved by a unanimous vote of the Board of Selectmen.

Selectman Eric Dahlberg made the following motion:

"Move that the Board of Selectmen vote to approve the Project Funding Agreement between the Town of Chelmsford and the Massachusetts School Building Authority for the Chelmsford McCarthy Middle School Project, which agreement will be signed by the Town Manager on behalf of the Town."

The motion was seconded by Selectman Matthew Hanson. The motion was approved by a unanimous vote of the Board of Selectmen.

Selectman Eric Dahlberg made the following motion:

"Move that the Board of Selectmen vote to approve the Project Funding Agreement between the Town of Chelmsford and the Massachusetts School Building Authority for the Chelmsford Parker Middle School Project, which agreement will be signed by the Town Manager on behalf of the Town."

The motion was seconded by Selectman Matthew Hanson. The motion was approved by a unanimous vote of the Board of Selectmen.

There being no further business before the Board, Selectman Dahlberg motioned to adjourn, seconded by Selectman Hanson. Voted unanimously. The meeting adjourned at 5:55 p.m.

Respectfully submitted,

Matthew J. Hanson
Clerk
Board of Selectmen

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
June 21, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements
- 4th of July Activities

Open Session

Committee Vacancies

Scheduled Business

- John Sousa - Bond Auction - Bid Results & Award
- MWPAT Loan
- Jennifer Almedia – New Trash & Recycling Regulations
- Tulsi Fine Indian Cuisine – Continuation of Public Hearing Beer & Wine Restaurant License
- The Meat House – Continuation Beer & Wine Package License
- Verizon Pole Petition – Public Hearing: 9 North Road

7:30 p.m.
- Zesty Pizza – Public Hearing Outdoor Seating

7:35 p.m.
- Drum Hill Moe's Southwest Grill – Public Hearing Outdoor Seating
- Little Caesar's – Common Victualer License
- Domino's Pizza – Change of Location
- Auto's Unlimited – Class II Dealers License
- A & B Auto Body - Class II Auto Dealers License
- Christine Dunlap – One Day License
- Roadside Vendors License – Derrick Valeri
- Brothers Pizza – Sunday Hours

Town Manager Reports
- Designation of officers to perform duties of Town Manager in his absence

Town Manager Bid Awards
- CHS Ceilings, Parker Flooring, McCarthy Flooring
- Fire Station Floor Resurfacing

Town Manager Appointments

*** This meeting is televised. ***

- Annual Appointments

BOS Meeting Minutes
- Regular Meeting Minutes – May 24 and June 7

Unscheduled Business
-

Selectman Referrals

Press Questions

Executive Session – For the purpose of Strategy for Ligation and Collective Bargaining

Next Regular Meeting: July 12, 2010

Approved 7/26/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
June 21, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded.

Chairman Dixon called the meeting to order at 7:00PM.

Public Service Announcements
July 4th Activities
Walter Hedlund announced that the 43rd Country Celebration would begin on Sunday, July 4th, to include kids' rides, booths, and bands, and would culminate on July 5th with the Road Race and the annual Parade. A complete list was provided to the Board. Mr. Cohen reminded residents that the Parade would begin at 10AM on July 5th. Chairman Dixon was asked to give a public welcome to spectators before the parade.

Legislative Delegation Recognition
Mr. Cohen announced that State Representatives Jim Arciero and Tom Golden were present and were thanked for their assistance in helping the Town obtain 8.7 million in State reimbursement for improvements to the High School, and 6.5 million in improvements to Parker and McCarthy Middle Schools. Pat Wojtas was asked to come forward to announce that amendments to the 2.1 million project for Parkhurst Rd. were approved, and the project will be going out to bid. The bid award is expected to be announced in September. A corridor study from Drum Hill Rd. to the Rourke Bridge will also go out to bid in September. Mr. Arciero & Mr. Golden were thanked for their assistance in obtaining stimulus and matching state funding for these projects as well. Mr. Cohen announced that he received word that Chelmsford CHOICE will receive $580,000.00 in state subsidies for the affordable housing project in Highland Ave. Mr. Arciero stated it has been a pleasure working with the Board, and welcomed Selectmen Hanson and Kurland to the Board.
Open Session
No one came forward at this time.

Committee Vacancies
Mr. Cohen listed openings available on various Town Committees, and encouraged interested residents to apply online or through the Town Manager's office.

Scheduled Business
John Sousa-Bond Auction-Bid results and Award & MWPAT Loan
Mr. Sousa provided the results of the Bond Auction and Bid Awards for the financing of capital departmental equipment, CPC funding for the Town Halls projects and for funding the DPW project. The Town has received a AA- rating with stable outlook with the Standard & Poor's Index. Mr. Sousa provided the Bond Counsel documents for signatures of the Board. Mr. Cohen explained he was

anticipating an interest rate of 4%, and the Town was able to secure an interest rate of 3.37%, which created some savings.

Motion: by Selectman Dahlberg to approve the authorization for debt issuance as presented; that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the $442,021.32 borrowing authorized by the vote of the Town passed April 26, 2010 (Article 7) is hereby determined pursuant to G.L.c.44, ss7(9) to be as follows:

Purpose:	Borrowing Amount:	Maximum Useful Life:
Sander Truck	$112,051.32	6 years
Backhoe/Loader	$90,000.00	11 years
Street Sweeper	$135,000.00	11 years
Safety Net	$40,000.00	6 years
Bucket Truck	$65,000.00	11 years

It is further voted that in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund a portion of the Town's $10,021,000.00 General Obligation Municipal Purpose Loan of 2001 Bonds dated March 1, 2001 maturing on March 1, 2012 through 2021 (inclusive) (the "Refunded Bonds"), and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

It is further voted that the sale of the $9,903,704 General Obligation Municipal Purpose Loan of 2010 Bonds, Series A of the Town dated July 1, 2010 (the "Series A Bonds") to Robert W. Baird and Company, Inc. at the price of $10,354,899.43 and accrued interest is hereby approved and confirmed. The Series A Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year:	Amount:	Interest Rate:	Year:	Amount:	Interest Rate:
2011	$228,704	2.00%	2020	$650,000.	5.00%
2012	$900,000	2.00	2021	$550,000.	4.00
2013	$900,000.	2.00	2022	$250,000.	4.00
2014	$900,000.	3.00	2023	$250,000.	4.00
2015	$900,000.	4.00	2024	$250,000.	4.00
2016	$700,000.	4.00	2026	$500,000.	4.00
2017	$650,000.	4.00	2028	$500,000.	4.00
2018	$650,000.	5.00	2030	$475,000.	4.125
2019	$650,000.	5.00			

It is further voted that the Series A Bonds maturing on June 15, 2026, June 15, 2028 and June 15, 2030 (each a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond Due June 15, 2026

Year:	Amount:	
2025	$250,000.	
2026	$250,000.	Final Maturity:

Term Bond Due June 15, 2028

Year:	Amount:	
2027	$250,000.	
2028	$250,000.	Final Maturity:

Term Bond due June 15, 2030

Year:	Amount:	
2029	$250,000.	
2030	$225,000.	Final Maturity:

It is further voted that the sale of the $4,170,000. General Obligation Refunding Bonds, Series B of the Town dated July 1, 2010 (the "Series B Bonds", and together with the Series A Bonds, the "Bonds") to First Southwest Company at the price of $4,363,090.31 and accrued interest is hereby approved and confirmed. The Series B Bonds shall be payable on March 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year:	Amount:	Interest Rate:	Year:	Amount:	Interest Rate:
2011	$75,000	2.00%	2017	$405,000.	4.00%
2012	$435,000	2.00	2018	$400,000.	4.00
2013	$425,000.	3.00	2019	$400,000.	4.25
2014	$420,000.	3.00	2020	$395,000.	4.25
2015	$415,000.	3.50	2021	$390,000.	4.00
2016	$410,000.	3.50			

It is further voted that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated June 2, 2010 and a final Official Statement dated June 16, 2010 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and are hereby ratified, confirmed, approved and adopted.

It is further voted that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

It is further voted to authorize the execution and delivery of a Refunding Escrow Agreement relating to the Series B Bonds to be dated July 1, 2010, between the Town and U.S. National Bank Association, as Refunding Escrow Agent.

It is further voted that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

It is further voted that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Seconded by Selectman Hanson. **Motion carries, unanimous.**

Mr. Sousa reported that 7.3 million and 6.1 million in temporary sewer loans will be converted to permanent loans. The Town received 1.5 million in ARA principal forgiveness, so the total being re-financed will be 11.9 million. The financing will be a 20 year term, with 2% interest. The financing was previously approved in 2009.

Motion: by Selectman Dahlberg to confirm the loan documents as previously authorized. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Jennifer Almeida-New Trash and Recycling Regulations

Ms. Almeida explained that the new trash contract would begin on July 1, 2010. A flyer has been mailed to residents confirming that the trash limit is two 32-gallon barrels, with single stream recycling. Retail locations to obtain excess trash bags were provided. Selectman Dahlberg asked if residents could still sort their recycling if they desired. Ms. Almeida advised it could be done, but it all goes into a section of the truck, so is not necessary.

Tulsi Fine Indian Cuisine-Continuation of Public Hearing Beer & Wine Restaurant License
Atty. Douglas Hausler spoke on behalf of the applicant, who wishes to open a restaurant at 7 Summer St., to include 96 seats. No issues were raised since the prior hearing.

Motion: by Selectman Dahlberg to approve a Beer and Wine License to RSRS Foods, LLC d/b/a Tulsi Fine Indian Cuisine for a Beer & Wine Restaurant License to be exercised on the premises at 7 Summer St. with the following conditions that the seating capacity is 96 and the hours of operation are 11AM-10PM seven days per week. Seconded by Selectman Hanson. **Motion carries, unanimous.**

The Meat House-Continuation Beer and Wine Package License
Atty. Joseph Tarby spoke on behalf of the applicant. The shop has been open 1 ½ weeks. Selectman Scanlon read a statement that he missing the prior hearing, but has reviewed the written evidence provided by the applicant, the minutes and reviewed the video tape of the meeting, as required by MGL c39, s.23D. Selectman Kurland asked how many employees would be working each shift, and was told by Mr. Carpenter there would be between 9-12 employees during the day, and 5-7 employees in the evenings. Selectman Kurland clarified how many employees would perform the various functions within the shop, and he asked Mr. Carpenter to confirm his work experience with the 99 Restaurant. Mr. Carpenter further explained how dispensing alcohol was different for a retail shop than for a restaurant. Mr. Carpenter was not familiar with either Westlands Package Store or Harrington's Liquors. Selectman Kurland referred to the letter from Police Chief James Murphy citing that the seven existing liquor licenses are sufficient and the potential lack of monitoring alcohol distribution since the shop's primary business is not alcohol.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Kurland to deny the application of BM Carpenter, LLC d/b/a The Meat House, for a Beer and Wine Package Store License for the Following reasons: 1) There are already two liquor stores in close proximity to the applicant's location; namely the Westland's Package Store which is located .6 miles from the location and Harrington's Liquor Store that is .8 miles from the location; both of which sell a full range of beer and wine as well as other alcoholic beverages of every nature and decription. Therefore there is no need for another package store at that location as set out in the Board of Selectmen Policy 3-5 © since that area is already served by two (2) other full liquor establishments.
2) The Chief of Police has recommended against the issuance of the license citing the existence of seven (7) all alcohol beer and wine licenses throughout the Town and that, in his opinion, those establishments provide sufficient and convenient opportunities for those seeking to purchase beer and wine in a community the size of Chelmsford. Furthermore, he has expressed serious concern that "the potential for alcohol falling into the wrong hands increase with the number of licenses in effect".
3) That although the applicant's principal, Mr. Carpenter, has 25 years restaurant management experience working for the 99 Restaurant company, there has not been sufficient evidence that he will be able to guarantee that he will be able to monitor the responsible distribution of alcohol in this business setting. At all 99 Restaurants, alcohol is distributed by bartenders and wait staff and there is no other opportunity for access to alcoholic beverages. In the applicant's presentation to this Board, wine will be on shelves or other similar displays and beer will be located on shelves and/or coolers. In both locations, the opportunity for shoplifting exists where it does not in the restaurant setting. The applicant has not met his burden of establishing that he has the experience in this type of business operation in the responsible distribution of alcoholic beverages to the public as required by the Board of Selectmen Policy 3-5(a).

4) It has been the longstanding policy of the Board of Selectmen to thoroughly and critically scrutinize these types of applications since an abundance of caution and due care must be exercised when the sale of alcohol is concerned and the applicant has not met this burden as set out above. Seconded by Selectman Scanlon. Selectmen Dixon and Hanson opposed, Selectmen Dahlberg, Scanlon and Kurland in favor. **Motion carries.**

Selectman Hanson maintained that he supported granting the license, since if there were any problems, the license could be non-renewed. Selectman Scanlon felt the Board was not in a position to judge the applicant's business model, and supported the denial. Selectman Dahlberg referred to the work of the Economic Development Committee and the need to strike a balance of businesses within the Town. Selectman Dahlberg stated he was supporting the denial as being consistent with past denials of similar applications. Selectman Dahlberg agreed to craft a policy for future guidance in addressing similar situations. Selectman Kurland requested that Assessor's information be included in future applications.

Verizon Pole Petition-Public Hearing-9 North Rd.
Joseph Gleason,Verizon, 28 Diana Lane explained this petition was for the relocation of Pole 606, located by 6 North Rd. An engineer suggested moving this pole 20 feet to assist with the construction being planned for 9 North Rd. A prior revocable license was approved prior, but National Grid has not signed off on it yet. Verizon is asking approval of this petition, subject to National Grid's approval and sign-off.

Audience Comments: No one came forward at this time.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve a Pole Petition for Verizon for the relocation of Pole 606 at 6 North Rd by 20 feet, subject to approval from National Grid. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Zesty Pizza-Public Hearing-Outdoor Seating
Atty. Angelique Eliopoulos spoke on behalf of the applicant, who is seeking approval of a liquor license to accommodate 12 outdoor seats. The outdoor sesating is requesting as a way to keep competitive with other nearby establishments that already have it. The ABCC and other Town Boards have voiced no concerns with the application. The Board of Health has requested some grease trap guidelines be followed. This document is pending and it was requested that the approval be contingent on receiving it. The landlord provides 40 spaces for this restaurant. Selectman Scanlon asked how the outdoor seats would be monitored, as the restaurant has no waitstaff. Atty. Eliopoulos was not sure, but the applicant can see the patrons clearly from inside, and the exits are adequate. The Board unanimously supported the outside seating, but not in favor of allowing alcohol outside, as there is no way to monitor it. There were no comments from the audience.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the Alteration of Premises for Outdoor Seating for 12 outside seats for Zesty Pizza Inc. on their Beer and Wine License to be exercised at 14 Fletcher St. with the condition that no alcohol be allowed outside. Total seating is amended from 70 seats to 82 seats. Approval is contingent upon approval by the Board of Health in regard to grease trap requirements. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Drum Hill Moe's Southwest Grill-Public Hearing-Outdoor Seating
Alan Fitzpatrick, the Manager of Moe's was present to answer questions. The request is to allow 12 outside seats without alcohol, and to increase the total seating from 82 to 94. Mr. Fitzpatrick noted

parking is not an issue during the summer, but the plaza does get busy at Christmas time, when the outside seating is not being utilized. No comments from the audience.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the Alteration of Premises for Outdoor Seating for 12 outside seats for Salsane, Inc., d/b/a Drum Hill Moe's Southwest Grill Pizzaria, to be exercised on the premises at 90 Drum Hill Rd. with the condition that no alcohol be allowed outside. Total seating capacity is amended from 82 seats to 94 seats. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Little Caesar's-Common Victualer License
George Salles spoke as the Manager of the new restaurant, which will be located where Carvel/Cinnabon used to be. There is no seating, no delivery, all food is prepared for take-out. Questions on the layout were clarified. Mr. Salles would like to open on July 27, 2010.

Motion: by Selectman Dahlberg to approve a Common Victualer License to NEP Chelmsford, LLC d/b/a Little Ceasars, to be exercised on the premises at 107 Drum Hill Rd. with no seating, hours of operation are 10AM-10PM weekdays and 10AM-9PM Sundays, pending final inspections. Seconded by Selectman Hanson. **Motion carries, unanimous**

Domino's Pizza-Change of Location
The applicant has moved their location from Central Square to 118 Chelmsford St., next to the Meat House, and will now have seating for eight. No concerns from other Boards, and no comments from the audience. The applicant was not present for questions.

Motion: by Selectman Dahlberg to approve a Change of Location for GDS Enterprises, d/b/a Domino's Pizza, from 60 Central Square to 118 Chelmsford St. on their Common Victualer License with a seating capacity of 8. Hours of operation will be Monday-Thursday 11AM-12AM, Friday and Saturday 11AM-1AM, Sundays 11AM-11PM. Seconded by Selectman Hanson. **Motion carries, unanimous**

Auto's Unlimited-Class II Dealer's License
Atty. Angelique Eliopoulos spoke on behalf of the applicant, Randy Pendergast. He is requesting a transfer of a license granted to Ronnie Pare of Ronnie's, Inc. to Autos Unlimited to sell up to 50 vehicles. The site has been licensed to sell cars since 1975. There will be no changes for this license. Plans and Commercial lease documents were made available; no concerns were noted by the Police Chief.

Motion: by Selectman Dahlberg to approve a Class II Auto Dealers License to Autos Unlimited, 118 Gorham St., for 50 cars for sale, subject to obtaining a $25,900.00 bond as requested. Seconded by Selectman Hanson. **Motion carries, unanimous.**

A&B Auto Body-Class II Auto Dealers License
Bruce Pratt, the owner of the establishment, was present for questions. He is requesting a license to sell up to 3 cars at his 297 Littleton Rd. location, which has been a body shop for 28 years. Selectman Kurland clarified where the cars for sale would be located; there were no concerns from the Police Chief.

Motion: by Selectman Dahlberg to approve a Class II Auto Dealers License to A&B Auto Body, 297 Littleton Rd., for 3 cars for sale. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Christine Dunlap-One Day License
Ms. Dunlap was present for questions. A bridal shower is being held at the Old Town Hall on June 25, 2010, from 7-10PM. The event is being catered by Judy Carven, and a TIPS certified bartender will be

present. Attendance is expected to be 25 people. The Board confirmed that no police detail would be required.

Motion: by Selectman Dahlberg to approve a One Day All Alcoholic Beverages License to Christine Dunlap, to be exercised on the premises at the Old Town Hall on june 25, 2010, from the hours of 7-10PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Roadside Vendor's License-Derrick Valeri
Mr. Valeri was present for questions. He is requesting to open a slush cart on Heart Pond, as he likes to spend time there. His State Peddlers and Hawkers license, Health Certificate and Certificate of Insurance are pending. Mr. Cohen explained the license would expire on August 31, 2010. This would be similar to what is done at Varney Park. Trash receptacles are available at Heart Pond.

Motion: by Selectman Dahlberg to approve a Roadside Vendors License to Derrick Valeri, to sell slush and water at the Heart Pond parking lot from June 1, 2010 to August 31, 2010 from the hours of 10AM-5PM, contingent upon receipt of a State Peddlers and Hawkers License, Health Certificate and Certificate of Insurance. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Brother's Pizza-Sunday Hours
No one was present on behalf of the applicant, who wishes to expand his hours of operation to include Sundays, from 11AM to 8PM. Selectman Dahlberg requested that future applicants always have a representative present for questions.

Motion: by Selectman Dahlberg to approve a change of hours for Brothers Pizza, 55 Summer St., to add Sunday hours from 11AM-8PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Reports
Designation of Officers to Perform Duties of Town Manager in his absence
Mr. Cohen advised that in accordance with the Town Charter, he is required to notify the Board of three officers who are authorized to perform his duties in the event he is unable to for a period of 14 days or more. The Officers are James Murphy, Police Chief, James Pearson, DPW Director, and John Sousa, Town Treasurer.

Mr. Cohen reminded residents that both beaches at Freeman Lake and Heart Pond would be staffed from 10AM-6PM through the month of August. Water testing will be done on a regular basis.

Town Manager Bid Awards
CHS Ceilings, Parker Flooring McCarthy Flooring

Motion: by Selectman Dahlberg to approve the Town Manager's recommendation to award the bid for installation of VCT and Vinyl Base Floor in the Cafeteria and Teachers Room, and Quarry Tile Floor in the Kitchen/Snack Shack at McCarthy Middle School contract to Fellsway Inc., 210 Stedman St., Lowell, Ma 01851 for the amount of #36,000.00. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the Town Manager's recommendation to award the bid for installation of VCT and Vinyl base Floor at Parker Middles School to Capital Carpet & Flooring Specialists, Inc., 12 Walnut Hill Park, Woburn, Ma 01801 for the amount of $79,972.00 Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the Town Manager's recommendation to award the bid for Removal and Replacement of all Acoustical Ceiling Tiles and Grid, with new, in Cafeterias 1 & 2 at the Chelmsford High School to Camdele Construction, Inc., 154 Salem St., Boston, Ma 02113 for the amount of $67, 410.00 Seconded by Selectman Hanson. **Motion carries, unanimous.**

Fire Station Floor Resurfacing
Four bids were received for this project. This work was recommended by Daigle engineering to "buy time" until a resolution could be agreed upon regarding the future of this fire station.

Motion:by Selectman Dahlberg to approve the Town Manager's recommendation to award the bid for the Center Fire Apparatus Floor Top Side Repairs contract to Advanced Prep Coating, Inc., 41c Sutton Lane, Worcester, Ma 01603 for the amount of $28,576.62. Seconded by Selectman Scanlon. **Motion carries,unanimous.**

Town Manager Appointments
Annual Appointments
Mr. Cohen provided another list of annual appointments.

Motion: by Selectman Dahlberg to approve the Town Manager's appointments of 1 member to the Arts and Technology Education Fund, 1 member to the Conservation Commission, 2 members to the Emergency Management Committee, 2 members to the Historical Commission, 1 member to the Middlesex Canal Commission, 1 member to the Military Community Task Force, 2 members to the Permanent Building Committee, 5 members to the Recycling Committee, and 5 members to the Town Hall Advisory Committee. Seconded by Selectman Hanson. **Motion carries, unanimous.**

BOS Meeting Minutes-May 24, 2010 and June 7, 2010

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of May 24, 2010, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of June 7, 2010, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Unscheduled Business:
None presented at this time.

Selectmen Referrals

Selectman Kurland:
Residents were reminded that he would be available for discussion at the Java Room on July 3, from 7-9AM.

The Chelmsford Theatre Guild is holding a fundraiser to obtain a storage shed for their props and costumes. Two different size bricks will be available for purchase in the amounts of $100.00 and $500.00. More information can be obtained through www.chelmsfordtheatre.com .

A "Tumble-a-thon" fundraiser will be held for Bella Tucker. For more information, contact Nicole Thomas at 603-486-4812.

Selectman Hanson:
Selectman Hanson reminded residents he would be available for comments at the Java Room on Wednesday, June 23, from 4-6PM.

Selectman Scanlon:

No referrals.

Selectman Dahlberg:
Mosquito Control pamphlets are available at the Health Office.

Selectman Dahlberg read a statement into the record indicating that he will be recusing himself from any matters regarding Epsilon, LLC's development at 9 North Rd., as they are organizing a fundraiser to benefit his campaign.

Chairman Dixon:
Phil Stanway was thanked for his efforts in organizing the Richard St. Onge dedication ceremony at Sunny Meadow Farm.

Ralph Hickey was congratulated for winning an award for his efforts with the ADA Commission.

Press Questions
No one came forward at this time.

Executive Session
Motion: by Selectman Dahlberg to enter Executive Session, not to return to Regular Session, for the purpose of discussing Strategy for Litigation and Collective Bargaining. Seconded by Selectman Hanson.
Roll Call Vote:

Selectman Kurland: Aye
Selectman Hanson: Aye
Selectman Dixon: Aye
Selectman Dahlberg: Aye
Selectman Scanlon: Aye

Regular Meeting Adjourned at approximately 8:49PM
Next Regular Meeting: July 12, 2010

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, June 7, 2010 **Time:** 7:00 pm

Location: Town Office Room Number: 204

Name of Building

50 Billerica Rd

Street Address

Elizabeth H. Delaney

Town Clerk's Signature

Lucia Quinn 3/25/10

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen -

Date of Meeting: Thursday, June 10, 2010 **Time:** 5:45 pm

Location: Town Offices Room Number: 201

Name of Building

56 Billerica Rd.

Street Address

Elizabeth H. Delmey

Town Clerk's Signature

Lucia Grimm 6/8/10

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, June 21, 2010 **Time:** 7:00 PM

Location: Town Offices Room Number: 204

Name of Building

50 Bellevue Rd.

Street Address

Elizabeth H. Delaney

Town Clerk's Signature

Tricia Dynes 3/25/10

Clerk/Bd. Member & Date

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
July 12, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order – Notification of live cablecast

Open Session

Committee Vacancies

Scheduled Business

Panera Bread – Outdoor Seating

Hearing - Revocation of All Alcohol License – Hiway Farm Market

Town Manager Reports
- Public Notice to close Fall Town Meeting Warrant
- Technology Network Task Force

Town Manager Bid Awards
- Vehicle Gasoline & Diesel Fuel

Town Manager Appointments
- Board of Appeals
- Bruce Freeman Rail Trail Liaison
- Council on Aging
- Energy Conservation Committee
- Open Space & Recreation Plan Committee

BOS Meeting Minutes
- Work Session Meeting Minutes – June 10, 2010
- Executive Session Minutes – June 21, 2010

Unscheduled Business
- Vote on Performance Appraisal for Town Accountant
- Conduct Performance Appraisal for Town Manager
- Riverneck Road Conservation Restriction
- Keno application – Sichuan Palace

Selectman Referrals

Press Questions

Executive Session
- Collective Bargaining Strategy for Police Unions

Next Regular Meeting: July 26, 2010

*** This meeting is televised. ***

Approved 8/9/10

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
July 12, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded.

Chairman Dixon called the meeting to order at 7:03PM.

Open Session
John Carson, former Selectman, wished to express his concern with the development at 9 North Rd. Mr. Carson provided the history of how Rodger Currie obtained the land and preservation restriction in 1978. Mr. Currie's plans were presented at Town Meeting, and were approved unanimously. Mr. Currie next went to the Planning Board, where some changes were made, and the preservation restriction was given. The Preservation Restriction was approved by the Board of Selectmen on December 7, 1978. Mr. Carson read some text from the document. Mr. Carson continued, stating since then, the parcel was sold to a bank, and then re-sold to Epsilon, LLC. Epsilon has presented plans to further build on this parcel, which was not intended when the preservation restriction was approved. The Planning Board decision reported that the BOS had not responded to their request for input. The BOS is recognized by the court as the enforcing agent of the preservation restriction, and the Board's lack of action and public discussion creates a perception that they are not willing to enforce the preservation restriction. Mr. Carson requested that the Board schedule a public hearing and go on record with their position on this matter.

Paul Hart, Former Selectman, explained that he had been on the Board for 15 years, and he agreed with Mr. Carson. He feels the selling price of the parcel indicates the seller believed the parcel was not developable, as a nearby parcel is currently on the market for $1 million dollars, while Epsilon purchased this parcel for $480,000.00. Mr. Hart stated he was shocked this Board is doing nothing, since he had met with Mr. Dixon, and no meeting has been scheduled, and he has been waiting 2 weeks for a return phone call from the Town Manager. Chairman Dixon responded that Mr. Shanahan wanted a public forum, not a meeting, so no meeting was set. Mr. Hart stated he was insulted that he received no response from the Town Manager.

Joseph Shanahan, former Selectman, agreed that it had been suggested the gentlemen should appear at Open Session. Mr. Shanahan wanted a public hearing in fairness to the Eliopoulos family. Mr. Shanahan recalled that enforcement power was given to the Board of Selectmen because of the belief that this land would not be developed. The Planning Board sent an inquiry to the prior Board, and received no response. The case is now in Land Court. The Eliopoulos' have argued this Board has no issue with their development plans, and Mr. Dahlberg has indicated he may have a conflict of interest. Mr. Shanahan feels the Board should enforce the Preservation Restriction, as to do nothing defeats the purpose of creating the restriction. Selectman Kurland asked Mr. Shanahan to define what "shall" means. Mr. Shanahan countered that the intent of the document to keep enforcement with the Board of Selectmen, as it was

never thought that a future Board would go against the intent of a preservation restriction. During the original hearing, the proposed barn-like structure was to be the drive-up for the bank. Minor changes would be allowed. A 16,000 SF building with 54 parking spaces is not a minor alteration. Mr. Shanahan asked the Board to move to enforce the preservation restriction this evening. Chairman Dixon explained that the Board has met several times in Executive Session with Town Counsel to discuss this matter. Since the matter is in litigation, the Board will continue to follow the advice of Town Counsel. Chairman Dixon assured Mr. Shanahan the Board was not "sitting" on this matter, and the Board would do the right thing at the appropriate time.

Phillip Eliopoulos, 18 North Rd., Attorney for Epsilon, LLC, explained the proposal does not violate density requirements within the preservation restriction as it was written. He could not comment on what the intent of the restriction was at the time it was written. Atty. Eliopoulos reviewed the proposal with Mr. Belansky, Mr. Soule and Mr. Cohen prior to going before the Planning Board and Historic Commission. Atty. Eliopoulos was offended that Epsilon, LLC is being presumed to be violating the restriction intentionally. Town Counsel reviewed the application and supporting documentation and agreed the project could be done, within the limits of the preservation restriction. Town Counsel did not feel the document was vague. The Historic Commission, Conservation Commission and Planning Board have approved the proposal. The Land Court will make its decision. The preservation restriction document regulates and controls development, but does not bar all development. Commercial uses are allowed for, and the proposal fits within zoning requirements. There cannot be a public hearing during litigation. The prior approvals were acquired legally. Selectman Kurland stated that Judge Piper instructed the plaintiffs to add the Board of Selectmen as a party to the current litigation. Atty. Eliopoulos disagreed, stating that the judge did not require the plaintiffs to add the Board to the suit, but it was done after. The Planning Board and Historic Commission were the original defendants. Atty. Eliopoulos stated the transcripts could be requested if desired.

Peggy Dunn, Bridge St. agreed with the former Board members, as she was present at the meeting where the preservation restriction was approved. Four articles were passed by Town Meeting unanimously. She asked the Board to speak for the Town to preserve this space. She suggested that the Town take the land by eminent domain to allow for the Fire Station improvements. She would like to come back at a future meeting to clarify preservation restriction guidelines.

John Carson reiterated that this parcel should be preserved.

Atty. Peter Lawlor, as representative for Boars Head, LLC and Evergreen Condos stated that Judge Piper did say the Board of Selectmen should be named in the suit. Town Counsel has never attended a meeting regarding this proposal. Epsilon Group deserves an opportunity to discuss their development plans, and he was support having a public hearing. Once construction starts, it will be too late to have a hearing. Selectman Kurland asked if either side's counsel would be prejudiced by having a hearing. Atty. Lawlor supports having a hearing so the Board can listen to testimony and vote on a decision. Atty. Eliopoulos felt the Board has reviewed the proposal, approvals of relevant boards have been acquired, and having a public hearing would not solve anything. The Board is not at liberty to discuss a case while it is in litigation. Selectman Kurland requested Town Counsel's opinion on holding a public hearing for this matter. Atty. Eliopoulos stated the document is clear as written and verified by Town Counsel.

Joseph Shanahan agreed there was no need for a public hearing. Density requirements in the original document were discussed to allow Mr. Currie to put up what exists on the site today. Mr. Cohen explained that the Board must take a passive role during litigation. The Town has invested significant resources into this matter, and is not ignoring the situation. This is being handled in the same manner as other land disputes. Mr. Shanahan stated that since the Board is the sole enforcer of the restriction, they should not be passive.

Lyn Marcella, Chelmsford Parade Committee came forward to thank everyone for their assistance with the parade. The parade will be held on July 4th next year. Ms. Marcella requested reappointment of the current committee members. Chairman Dixon concurred that many compliments were given in regard to the parade.

Linda Jones, Riverneck Rd. discussed her concerns with the Conservation Restriction for 243 Riverneck Rd. She objects to the Conservation Commission's approval of the document, as the final plans are not available for review, and she would like National Heritage to review the document, as it involves the turtle habitat, and no human activity should be allowed in this area at all. Mr. Cohen explained the Ruth Luna has voiced a similar concern. The Board agreed not to act on this restriction until the Conservation Commission has addressed all the issues. The document will be returned to the Conservation Commission.

Vivian Merrill, 23 Maple Rd. spoke on behalf of Erik Merrill, Animal Control Officer, who was at another meeting in the building. Residents were asked not to trap wild life on their own, as it is against state law to trap and relocate wild life unless you are licensed to do so. All Officer Merrill is allowed to do is release the animal in the same location it was trapped in. The Chelmsford Dog Association is actively looking for volunteers to assist in the planning of a Dog Show in the fall. Interested people can e-mail to chelmsforddogassociation@yahoo.com .

Committee Vacancies
Mr. Cohen listed openings available on various Town Committees, and encouraged interested residents to apply online or through the Town Manager's office.

Scheduled Business
Panera Bread-Outdoor Seating
Paul Ford spoke on behalf of the applicant. The request is for 11 outdoor seats. He was not aware of the need to get approval from the Board; the outside seats have been used for the past 2 years. Mr. Cohen clarified that the total seating will be no more than 133 total, which includes no more than 16 seats outside. Selectman Scanlon suggested getting the word out to restaurant owners that a permit is required for outside seating. Mr. Cohen explained people are not ignoring the bylaw; when they find out, they react appropriately.

Motion: by Selectman Dahlberg to approve outdoor seating for Panera Bread on their Common Victualer License at 66 Parkhurst Rd., for 16 seats outside. Granting this approval does not increase the inside occupant load at 122 seats, and there shall be no more than 133 seats for inside and outside dining. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Hearing-Revocation of All Alcohol License-Hiway Farm Market
Dino Vrouhas was present to speak on behalf of Spiro Vrouhas, the owner of the store. A letter was sent to Mr. Vrouhas notifying him the All Alcohol Package Store License was being revoked as the store was not open for business. Mr. Vrouhas explained that the store was temporarily closed while the family dealt with some health issues, and re-financing issues. Their intent is to re-open the store. Mr. Cohen requested the matter be tabled until the Board's September 13, 2010 meeting.

Motion: by Selectman Dahlberg to table the Revocation of an All Alcoholic Package Store License for Vrouhas, Inc d/b/a Hi-way Farm Market, 259 Littleton Rd. until September 13, 2010 on the grounds that the store will be reopening. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Reports
Public Notice to close Fall Town Meeting Warrant

Mr. Cohen announced that Fall Town Meeting will be held on October 18, 2010. Articles for the Warrant must be submitted by August 2, 2010.

Technology Network Task Force
Mr. Cohen explained the Town currently has one network running computer systems for all departments. Mr. Cohen is looking to quantify who is working on the system and the costs as part of a five year expenditure and security plan. Mr. Cohen would like to appoint 3 residents to work John Sousa, Kathy McWilliams and Ted Lutter. The Task Force's work would be complete by November 30, 2010 to be used in the FY2012 capital and operating budgets.

Town Manager Bid Awards
Vehicle Gasoline and Diesel Fuel
This is a cooperative bid among 12 communities. Mr. Cohen explained how the bid price is determined, and that state tax is paid, but federal tax is exempt.

Motion: by Selectman Dahlberg to approve the Town Manager's recommendation to award the contract for vehicle gasoline and diesel fuel to Dennis K. Burke, Inc. 284 Eastern Ave, Chelsea, Ma 02150 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Appointments
Annual Appointments-Board of Appeals, Bruce Freeman Rail Trail Liaison, Council on Aging, Energy Conservation Committee, Open Space and Recreation Plan Committee

Motion: by Selectman Dahlberg to approve the Town Manager's recommendation to appoint 2 members to the Board of Appeals, 1 member as the Bruce Freeman Rail Liaison, 4 members to the Council on Aging, 2 members to the Energy Conservation Commission and 7 members to the Open Space and Recreation Plan Committee as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

BOS Meeting Minutes
Work Session Meeting Minutes-June 10, 2010

Motion: by Selectman Dahlberg to approve the Work Session Meeting Minutes of June 10, 2010 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Executive Session minutes-June 21, 2010

Motion: by Selectman Dahlberg to approve but not release the Executive Session Meeting Minutes of June 21, 2010 as amended. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Unscheduled Business
Vote on Performance Appraisal for Town Accountant
Mr. Cohen explained that a vote of the Board is required to accept the Town Accountant's Performance Appraisal. Chairman Dixon noted Ms. Lussier is very organized and cooperative. Selectman Kurland stated he was impressed as he receives more timely and accurate information. Selectman Dahlberg agreed that Ms. Lussier has done a great job, even under stress. Mr. Cohen felt she goes above and beyond.

Motion: by Selectman Dahlberg to accept the FY2010 performance appraisal for Darlene Lussier, Town Accountant, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Conduct Performance Appraisal for Town Manager

Selectman Kurland noted that Mr. Cohen exceeds expectations with budgetary struggles, health insurance issues and union contracts. Selectman Hanson explained he is still getting used to how things are done by the Board, and that he looks forward to drafting goals. Selectman Scanlon stated people enjoy working with Mr. Cohen, and he is dedicated and appears at many Town functions. Some effort may be needed to stay controlled. Selectman Dahlberg felt Mr. Cohen goes above and beyond on a wide range of issues and the Town is very fortunate to have him. Chairman Dixon agreed that Mr. Cohen communicates well, is always on top of things, and is good at handling collective bargaining situations. Chairman Dixon appreciated the Town Manager's work, and was very happy with his performance.

Mr. Cohen thanked the Board and the tremendous people working for the Town and serving the community at many levels. At times Mr. Cohen stated he feels like he is defending the Board and the Town from being misrepresented. Mr. Cohen's goal is to be the longest serving Town Manager.

Keno Application-Sichuan Palace
Mr. Cohen announced that Sichuan Palace has requested a Keno License. The Board has 21 days to object. The Board had no objections to the request.

Riverneck Rd. Conservation Restriction
This was addressed in Open Session.

Motion: by Selectman Dahlberg to table this matter to the next meeting. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Selectmen Referrals

Selectman Kurland:
The Selectman will be available for discussion at the Java Room on the first Saturday of each month.

Selectman Hanson:
Selectman Hanson reminded residents he would be available for comments at the Java Room on Wednesday, July 14, from 4-6PM.

Selectman Scanlon:
No Referrals.

Selectman Dahlberg:
Selectman Dahlberg requested an update of the cell phone tower proposal on Locke and Tanglewood Roads. Mr. Cohen explained that the original cell tower was installed by Verizon on the water tower during 1987. The Water District is replacing the water tower with a shorter tower. Verizon will require a variance and special permit from the Boards of Appeals, which began its hearing on July 1, to be continued to August 12, 2010. A balloon test is scheduled for Saturday, July 17, 2010. Residents closer to the tower will see less of it; those further away won't see the new water tower, but would still see the cell tower. The site is necessary for network communications. The original water tank was installed in 1960.

Selectman Dahlberg and Selectman Hanson will form a sub-committee to work on BOS policy. Chairman Dixon approved the appointment.

Chairman Dixon:
Chairman Dixon congratulated the Parade Committee for a very successful parade.

COSS Steward Elliot Lee has reported that the Community Garden Water Tank at Sunny Meadow Farm is being filled three times per day, due to dry weather conditions.

Press Questions
Rita Savard, of the Lowell Sun asked Selectman Kurland to discuss opinion from Town Counsel regarding holding a public hearing for the Epsilon, LLC development of 9 North Rd. Selectman Kurland explained this topic would be discussed in Executive Session. Ms. Savard questioned if a public hearing could be done. Mr. Cohen advised it could be discussed with the Chairman of the Board. Chairman Dixon agreed to ask the advice of Town Counsel.

Executive Session
Motion: by Selectman Dahlberg to enter Executive Session for the purpose of discussing Collective Bargaining Strategy for Police Unions and to discuss 9 North Rd. Roll Call Vote:

Selectman Kurland: Aye
Selectman Hanson: Aye
Selectman Dixon: Aye
Selectman Dahlberg: Aye
Selectman Scanlon: Aye

The Board will not return to regular session. .

Regular Meeting Adjourned at 9:02PM
Next Regular Meeting: July 26, 2010

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
July 26, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order – Notification of live cablecast

Sean Scanlon - farewell remarks

Open Session

Scheduled Business

Saint Vartanantz - One Day Beer & Wine License, August 8, 2011
One Day All-Alcohol Licenses - September 11, 25 & 30, 2010

David McLachlan - Chelmsford Water District Land Swap

7:45 p.m. Dog Hearing – Heather Coady, 25 Cathy Road

Town Manager Reports
- Conservation Restriction - Sunny Meadow Farms and Pond Street Parcels
- Underground Utility Home Rule Petition

Town Manager Bid Awards
- Contract Services – Project Manager for Town Halls Projects, Architect for DPW Project

Town Manager Appointments
- Agricultural Commission
- Arts and Technology Education Fund Committee
- Parade Committee
- Technology Network Task Force

BOS Meeting Minutes
- Regular Meeting Minutes – June 21, 2010

Unscheduled Business
- Sign Warrant for September Primary
- Schedule Special Town Election
- Vote to change polling places for Precincts 4, 5 &6

Selectman Referrals

Press Questions

Executive Session
- Strategies with respect to litigation regarding 9 North Road
- Consider the purchase of Alpha Road parcels for DPW Facility
- Strategies with respect to collective bargaining with Police Unions

Next Regular Meeting: August 9, 2010

*** This meeting is televised. ***

Approved 8/9/10

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
July 26, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk
Sean Scanlon, Selectman

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded.

Chairman Dixon called the meeting to order at 7:03PM.

Selectman Scanlon announced he is formally resigning from the Board to pursue a job opportunity. A new selectman to finish out his term will be elected later this year. Selectman Scanlon encouraged anyone to run. He hoped to be remembered as being fair and honest, and it was an honor for him to work with many volunteers in town. Selectman Scanlon left after his announcement, at 7:07PM.

Open Session
Paul Riggazio, Chairman of the Republican Town Committee, asked the Board to formally take part in redistricting efforts being done in conjunction with the 2010 Census, by setting up a committee to work with census data and express concerns. Mr. Riggazio believes that having 4 state representatives is hurting the Town when funding is discussed. A copy of Mr. Riggazio's speech was provided to the Board.

Sam Poulton, 16 Berkeley Dr., Chairman of the Democratic Town Committee, cited past efforts of Carol Cleven, and would like the town to be ahead of "partisan" politics. He supports the need for the Board to become involved with redistricting, as to wait for 2011 will be too late. Mr. Poulton felt the Board is best suited to speak for the Town. Mr. Poulton agreed the Town has excellent representation, and there could be an advantage to having four voices, however, the state should consider that a district of 30,000 people as opposed to the current 40,000 required to be a district. Mr. Poulton agreed there was a need for one representative to speak solely for the needs of Chelmsford. Both Committees agreed to offer their assistance in setting up the appropriate committee to work with the Board.

Motion: by Selectman Dahlberg to accept Mr. Riggazio's report, and to draft a mission statement for a committee to study redistricting. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Linda MacLean, 10 Tanglewood Dr. provided copies of site plans from Verizon for their proposal to install a monopole at the Water District's water tank, and wished to correct the record for what she deemed to be factual misrepresentations given by the Town Manager. Mrs. MacLean stated the residents do not want to see this pole, and there would be a meeting held at the Chelmsford Police Station on July 27 at 7PM for anyone interested in discussing this matter.

Carrie Bacon, spoke as a member of the Garden Club, in regard to zoning requirements of roadside trees. Ms. Bacon felt the best road is one with trees.

Bill Martin, Precinct 4 stated the cell tower is in the wrong location, and asked for the Board's involvement that the application be withdrawn as it is too close to residents.

Tom Perkins, 104 Locke Rd. asked the Town Manager if a study had been done to identify alternative locations for the repeater equipment that is currently located on the existing water tower. Mr. Cohen explained the Town is not the applicant for the cell tower proposal. The concerns being raised are outside of the jurisdiction of the Board of Selectmen, and must be addressed by the Board of Appeals. The police and Fire Departments have explained why the repeaters are important.

George Petersen, 11 Bridge St. stated he recently was made aware of insinuations "skullduggery" by this Board in regard to the development occurring on 9 North Rd. Mr. Petersen feels the residents were caught off guard, and requested an explanation of what the Board did and what certain decisions were based on. Mr. Cohen explained that all of the documents regarding this location are now available on the Town's website at www.townofchelmsford.us for anyone to review. There are many residents saying the Board is not acting in the Town's best interest. Why is there a need for deliberations in closed session? Mr. Petersen hopes more information will be forthcoming, as the Board has responsibilities to its residents.

Steve Ladd, 108 Locke Rd. feels the 20 existing permitted cell towers throughout town are sufficient. Too many cell towers will destroy the landscaping.

Sean Sullivan, 8 Chestnut Ave. noted there are many conflicting reports on health concerns near cell towers. Mr. Sullivan asked the Board to consider the property values of homes near cell towers, as according to a survey done by the Lowell Sun, 63% of respondents said they would not buy a home near a cell tower.

Clare Jeannotte, Former Selectman, wished to correct the record that the prior Board of which she was the Chairman received no request from the Planning Board to provide input on the development at 9 North Rd.

Scheduled Business
Saint Vartanantz-One Day Beer and Wine License-August 8, 2010 and One Day All Alcohol Licenses for September 11, 25, and 30, 2010
Araj Narjorian was present on behalf of the Church, and agreed to provide TIPS Certification information for all four license requests.

Motion: by Selectman Dahlberg to approve four one day Liquor licenses to St. Vartanantz Armenian Church to be exercised on the premises at 180 Old Westford Rd. on the dates of August 8, 2010 for a One Day Beer and Wine Beverages License, and on September 11, 25, and 30, 2010 for One Day All Alcohol Licenses. Seconded by Selectman Hanson. **Motion carries, unanimous.**

David McLachlan-Chelmsford Water District Land Swap
Discussion tabled as Mr. McLachlan was not present.

Dog Hearing-Heather Coady, 25 Cathy Rd.
Mr. Cohen explained that anyone wishing to testify in this hearing would need to be sworn in. Four people raised their hands. Animal Control Officer Erik Merrill explained the packet of information was provided to the Board, and that Ms. Coady would be relinquishing the dog to a shelter. Ms. Coady requested two weeks to find a suitable shelter to take the dog, as she is currently in discussion with the MSPCA and Braveheart Rescue and needs more time. The dog will be restrained at all times when outside, either on a chain or on a leash when being walked. Officer Merrill explained that the dog is not aggressive, but it is very large and strong, and has knocked several people down. The problem is

restraining him. Ms. Coady explained the kennel area has been moved to the back of her property, and her children are no longer allowed to walk him. Selectman Kurland asked Ms. Coady if she would agree to allow Officer Merrill to impound the dog if he escapes again. Ms. Coady agreed this was acceptable. Written notification is to be provided to Officer Merrill indicating which facility has accepted the dog. The dog is now up to date on his vaccinations.

Motion: by Selectman Dahlberg to continue the hearing to August 9, 2010 at 7:30PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Reports
Public Statement in Response to Roland Van Liew's recent mailing.
Mr. Cohen read a prepared statement in response to allegations made in a mailing sent to residents from Roland Van Liew regarding the development at 9 North Rd. Selectman Hanson thanked Mr. Cohen for providing additional information and clarifying several points made in the mailing. Mr. Cohen explained all documents are now available online, in an effort to be as transparent as possible.

Master Plan Public Input Session
Mr. Cohen was asked by the Master Plan Committee to announce that a Public Input Session will be held at the Chelmsford Senior Center on September 16, 2010 at 7PM. All current Master Plan documents can be accessed at www.nmcog.org for review.

Conservation Restriction-Sunny Meadow Farm and Pond St. Parcels
Mr. Cohen explained that both documents are in the process of being drafted, and will be held by the Chelmsford Land Trust. The documents will be reviewed by the Chelmsford Open Space Stewardship, CPC, Conservation Commission, Planning Board, and Town Counsel before being presented to the Board for signatures.

Underground Utility Home Rule Petition
Mr. Cohen explained what the petition is, and that the legislature will not be hearing the petition in this session, but will be heard by the end of the year.

Chelmsford Water District Land Swap
John Harrington was present on behalf of the Water District. Mr. Cohen explained that the deed to convey the land swap will require signatures of the Board to be recorded. The Conservation Commission will be signing at their next meeting.

Motion: by Selectman Dahlberg to accept the documents for the Land Swap between the Chelmsford Water district and the Town of Chelmsford as approved by the legislature as presented. Seconded by Selectman Kurland. **Motion carries, unanimous.**

Town Manager Bid Awards
Contract Services-Project Managers for Town Halls Projects
Mr. Cohen explained that Dave Duane and Pat Maloney have agreed to be the voluntary town liaisons for the DPW proposal, Laura Lee will be the liaison for the North Town Hall, and Susan Gates will be the liaison for the Center Town Hall. Mr. Cohen requested authorization to execute the contract for Project Manager Services for both Town Halls to Vertex Construction Services.

Motion: by Selectman Dahlberg to authorize the Town Manager to execute the contract documents for Project Manager Services for North and Center Town Halls proposals to Vertex Construction Services, Inc. in an amount not to exceed $240,972.00, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Contract Services-Architect for DPW Project
Three proposals were reviewed for this project. Weston and Sampson was recommended to complete design services based on their schedule as provided.

Motion: by Selectman Dahlberg to authorize the Town Manager to execute the contract documents for Design Services for the DPW proposal to Weston and Sampson, Inc. in an amount not to exceed $237,900.00, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Appointments
Agricultural Committee, Arts and Technology Education Fund Committee, Parade Committee, Technology Network Task Force

Motion: by Selectman Dahlberg to appoint Henry Parlee to the Agricultural Commission for a term to expire June 30, 2013. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the Town Manager's recommendation to appoint Susan Yuhas to the Arts and Technology Education Fund Committee. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the Town Manager's recommendation to reappoint 10 members to the Fourth of July Parade Committee, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the Town Manager's recommendation to appoint Brian Jeannotte, Greg Piper, and Robert Joyce to the Technology Network Task Force. Seconded by Selectman Hanson. **Motion carries, unanimous.**

BOS Meeting Minutes
Regular Meeting Minutes-June 21, 2010

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of June 21, 2010 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Unscheduled Business
Sign Warrant for September Primary
Mr. Cohen explained that the warrant for the September Primary Election to be held on September 14, 2010 must be signed.

Motion: by Selectman Dahlberg to sign the Warrant for the State Party Primary Election on September 14, 2010, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Schedule special Town Election
Mr. Cohen explained that the Special Election will run simultaneous with the State Election on November 2, 2010.

Motion: by Selectman Dahlberg to call for a special election on November 2, 2010 to fill the vacancy on the Board of Selectmen, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Vote to change polling places for Precincts 4, 5, and 6
Mr. Cohen announced that the polling places at the former Westlands School, and the Byam School will be changed from the cafeterias to the gyms at both locations.

Motion: by Selectman Dahlberg to approve the change of polling locations for Precincts 4 & 6 from the Westlands School/Continuing Education Building cafeteria to the gym in the same building , and to change the polling location for Precinct 5 from the Byam School cafeteria to the gymnasium in the same building, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Selectmen Referrals

Selectman Kurland:
Former Selectman Scanlon was thanked for his service to the Board. He will be missed.

Selectman Kurland encouraged residents to visit the MacKay Library every Wednesday at 6:30PM to enjoy various types of musical presentations.

There will be a blood drive at St. John the Evangelist Church on July 28, 2010.

Selectman Kurland requested that the matter of the development at 9 North Rd. be discussed as an agenda item at the next scheduled meeting.

Selectman Hanson:
Selectman Hanson reminded residents he would be available for comments at the Java Room on Wednesday, July 28, from 4-6PM.

Selectman Dahlberg:
Selectman Dahlberg and Selectman Hanson have met as a sub-committee to work on BOS policy. They expect to have a report by September, 2010.

Chairman Dixon:
Chairman Dixon wished the best of luck to former Selectman Scanlon.

Press Questions
Chloe Gotsis, Chelmsford Independent asked Mr. Cohen to verify the dollar amounts of the Bid Awards. Ms. Gotsis also verified that the dog hearing was continued pending notice of relocation of the dog in question, and that Officer Merrill had authority to impound the dog if another complaint was received. Ms. Gotsis asked if 9 North Rd. would be on the next agenda. This will be discussed in executive session.

A resident of Loiselle lane asked about an abutter's notice received regarding a National Grid project which was supposed to be heard this evening, according to the notice. Chairman Dixon suggested the resident call the Town Manager's office tomorrow to find out why the matter was not on the agenda and why the resident did not receive notice of the change.

Executive Session
Motion: by Selectman Dahlberg to enter Executive Session for the purpose of discussing Strategies with respect to litigation regarding 9 North Rd., Consider the purchase of Alpha Rd. Parcels for DPW facility, and Strategies with respect to collective bargaining with Police Unions. Roll Call Vote:

Selectman Kurland: Aye
Selectman Hanson: Aye
Selectman Dixon: Aye
Selectman Dahlberg: Aye

The Board will not return to regular session.

Regular Meeting Adjourned at 8:38PM

Next Regular Meeting: August 9, 2010

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
POLICY SUB-COMMITTEE
MEETING AGENDA
July 19, 2010

Town Offices
50 Billerica Rd.

6:00 p.m.	**Welcome and discussion of purpose**
6:10 p.m.	**Goals and deliverables**
6:20 p.m.	**Schedule of meetings**
6:30 p.m.	**Recap of where last sub-committee left off (Pat Wojtas will participate)**
6:50 p.m.	**Public input**

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, July 12, 2010 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Ballerica Rd

Street Address

Elizabeth H. Delmey

Town Clerk's Signature

Lucia Quinn 6/14/10

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen Policy Sub-Committee

Date of Meeting: Monday July 19, 2010 **Time:** 6:00 pm

Location: Town Offices Room Number: 204

Name of Building

56 Billerica Rd.

Street Address

Elizabeth T. Delaney T. Cyr 7/13/10

Town Clerk's Signature Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, July 26, 2010 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd.

Street Address

Town Clerk's Signature Elizabeth Delaney

Lucia Nunes 6/24/10

Clerk/Bd. Member & Date

AUG 10

CHELMSFORD BOARD OF SELECTMEN
POLICY SUB-COMMITTEE
MEETING AGENDA
August 30, 2010

Town Offices
50 Billerica Rd.

6:00 p.m.	**Call To Order / Public Input**
7:00 p.m.	**Review of Definitions and information**
7:30 p.m.	**To-do's for next meeting**

Stamped copy in Clerks Office

CHELMSFORD BOARD OF SELECTMEN
POLICY SUB-COMMITTEE
MEETING AGENDA
August 3, 2010

Town Offices
50 Billerica Rd.

6:00 p.m.	**Call To Order / Public Input**
7:00 p.m.	**Review of Definitions and information**
7:30 p.m.	**To-do's for next meeting**

CHELMSFORD BOARD OF SELECTMEN
POLICY SUB-COMMITTEE
MEETING AGENDA
August 16, 2010

Town Offices
50 Billerica Rd.

6:00 p.m. **Call To Order / Public Input**

7:00 p.m. **Review of Definitions and information**

7:30 p.m. **To-do's for next meeting**

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
August 9, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order – Notification of live cablecast

Public Service Announcements
- Public Hearing scheduled for Monday, August 23, 2010 at 7:30 PM at the Senior Center regarding 9 North Road

Open Session

Scheduled Business

7:30 p.m. Continuation of Dog Hearing – Heather Coady, 25 Cathy Road

Dave McLachlan - Riverneck Road Conservation Restriction

Bob Gagnon, Flood Owners Group – Effects of Bladder Dam on Wellman Ave.

Town Manager Reports
- MSBA Final Reimbursement - Parker & McCarthy Middle School Projects
- Fall Town Meeting Warrant Articles

BOS Meeting Minutes
- Regular Meeting Minutes – July 12, 2010
- Executive Session Minutes – July 12, 2010
- Regular Meeting Minutes – July 26, 2010
- Executive Session Minutes – July 26, 2010

Unscheduled Business
- Redistricting Committee
- Sign Collective Bargaining Agreements:
  - Cemetery
  - Highway
  - Police Patrolmen
  - Police Superior Officers
- Approve Town Manager Performance Appraisal

Selectman Referrals

Press Questions

Executive Session
- Strategy with Respect to Litigation - Newport Materials Appeal of Westford Planning Board's Denial of Special Permits for an Asphalt Plant
- Strategy with respect to collective bargaining – adoption of 32B Section 18
- Consider the purchase of Alpha Road and Tracy Road Parcels for new DPW Facility

Next Regular Meeting: August 23, 2010

*** This meeting is televised. ***

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Approved 9/13/2010

Regular Meeting MINUTES
August 9, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded.

Chairman Dixon called the meeting to order at 7:00PM.

Public Service Announcement
Public Hearing is scheduled for Monday, August 23, 2010 at 7:30PM at the Chelmsford Senior Center regarding 9 North Rd.
Chairman Dixon requested that residents hold discussion or comments on this matter until the Public Hearing.

Open Session
Paul Gardner, Firefighters Local 1839 requested permission from the Board to allow the Fire Department to hold their annual Boot Fundraiser for Muscular Dystrophy on August 25 and August 27 in North Chelmsford, and on September 1 and September 2 in Chelmsford Center. All sessions will be from 4-8PM. Their efforts in 2009 raised $10,800.00. The Board unanimously agreed to grant permission to hold this fundraiser again for 2010.

Jim Lane, Chairman of the Master Plan Committee provided an update of the Master Plan process completed to date, and asked residents to attend a Public Input Session on September 16, 2010, at the Chelmsford Senior Center, from 7-9PM. All draft documents are available by visiting www.nmcog.org.

Bill Griffin, 9 Bishop St., asked the Board not to make any further cuts to the Fire Department in light of the recent fires in Town, and after witnessing what the City of Lawrence has been experiencing. Mr. Griffin asked for additional funding and public education. Mr. Cohen explained he is awaiting response on two grants that have been applied for.

Scheduled Business

Continuation of Dog Hearing-Heather Coady, 25 Cathy Rd.
This hearing was cancelled, as the dog was euthanized.

Dave McLachlan-Riverneck Rd. Conservation Restriction
Princeton Properties has asked that this hearing be continued.

Bob Gagnon, Flood Owners Group-Effects of Bladder Dam on Wellman Ave.

Jan Spence, 816 Wellman Ave. introduced Danielle Clark and Bob Gagnon to speak on this matter. Mr. Gagnon explained how the current dam system operates for the Merrimack River, and how this system keeps flooding from occurring in areas like the Williamsburg Condominium Development. The proposed inflatable dam system would keep the river full at all times, allowing Boott Hydropower to create more energy. The current board system allows the ground to dry out, which would not occur with the inflatable dam. The company in charge of the dam, Enel, is not responding to federal requests for improvements, and did not respond to requests to appear at this meeting. Mr. Gagnon feels the company is encouraging the inflatable dam as they stand to make more money at the expense of riverfront residents. Inflatable dams can be vandalized or popped by river borne trash or debris. The current dam holds back much of this debris, and the debris are currently disposed of. Mr. Gagnon asked the Board to send a letter of opposition to the dam to the Federal Energy Regulatory Commission (FERC). The City of Lowell is currently pursuing litigation against Enel to get the company to comply with the provisions of the Wang Agreement. Mr. Gagnon believes that if the proposed inflatable dam is allowed to be installed, over 100 homes will be put into a flood zone.

Ms. Clark provided pictures of the flooding at the Williamsburg Condos in 2006 and 2007. Professional fishermen were hired to return hundreds of fish to the river. She believes these floods occurred because Enel increased the size of the boards for the existing dam from 4 feet to 5 feet, without authorization from FERC. More water stayed in the river, their neighborhood flooded, and the riverbanks are severely eroded. Residents are not allowed to do anything to stop the erosion, which, if continued, will affect their sewer system. It will cost the residents close to $500,000.00 to move the sewer line. Ms. Spence asked the Board to provide help and support to address this situation.

Mr. Cohen verified repeated attempts by the Town to reach out to Enel have failed. Selectman Dahlberg and Mr. Cohen agreed to draft a letter of opposition to be signed by Chairman Dixon. Selectman Kurland suggested that someone should be looking into why the dam is not failing the way it should, if this would prevent future flooding.

Town Manager Reports
MSBA Final Reimbursement-Parker and McCarthy Middle School Projects
Mr. Cohen announced that the final payments of $135,805.00 for the Parker School, and $127,368.00 for the McCarthy School are pending receipt.

Fall Town Meeting Warrant Articles
Mr. Cohen advised that no citizen petition articles were received for the Fall Town Meeting. Fifteen potential articles have been received, including a request to change the number of voting precincts, a request to allow alcohol sales at 10AM on Sundays, five Planning Board articles, two Conservation Commission articles, and several others. The Board was advised that the Warrant will need to be signed at the meeting of September 13, 2010.

Other Reports
Mr. Cohen wished to advise the Board that Nashoba Valley Technical School has been approved funding for a second solar roof project.

Mr. Cohen received confirmation from Town Counsel that the pending Land Court case on Steadman St. has been dismissed.

Jennifer Almeida reported to Mr. Cohen that in the first month of the new trash program the Town realized a 30% reduction in tonnage compared to July 2009. Recycling figures have not been determined yet.

BOS Meeting Minutes

Regular Meeting Minutes-July 12, 2010

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of July 12, 2010 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Executive Session Meeting Minutes-July 12, 2010

Motion: by Selectman Hanson to approve but not release the Executive Session Meeting Minutes of July 12, 2010 as presented. Seconded by Selectman Dixon. Selectman Dahlberg abstained, all others in favor. **Motion carries.**

Regular Meeting Minutes-July 26, 2010

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of July 26, 2010 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Executive Session Meeting Minutes-July 26, 2010

Motion: by Selectman Kurland to approve but not release the Executive Session Meeting Minutes of July 26, 2010 as presented. Seconded by Selectman Dixon. Selectman Dahlberg abstained, all others in favor. **Motion carries.**

Unscheduled Business
Redistricting Committee
Mr. Cohen read the draft charge of this new committee, which will be comprised of two Board of Selectmen members and three resident members. Applications can be accepted once the charge has been approved.

Motion: by Selectman Dahlberg to approve the charge of the Legislative Redistricting Committee as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Sign Collective Bargaining Agreements: Cemetery and Highway Departments, Police Patrolmen and Police Superior Officers
Mr. Cohen provided a summary of changes for these agreements, which need ratification by the Board in an Open Session Meeting. The Highway and Cemetery Departments agreed to no change in compensation and a one year trial for a second shift for the Highway department from December 15 through either March or May 15 to address weather emergencies. All other provisions remained the same as the prior contract. The police agreements will last for three years. The wage schedule is unchanged, a $200.00 uniform cleaning allowance was eliminated, detail rates for Town projects will be reduced, patrol officers will become eligible for longevity in 2013, a day off with pay for achieving good scores on weapons testing was eliminated, physical fitness training will be mandatory, proof of annual physicals will be required and will include cholesterol and blood pressure readings, and random alcohol and drug testing will be enforced. Quinn Bill funding will also be eliminated, but is subject to re-negotiation in the event the State agrees to restore 2/3 funding. Health Coverage will be changed to the Network Blue New England Options program. Selectman Kurland wished to thank the Unions and Town officials for bringing this matter to closure.

Motion: by Selectman Dahlberg to approve and ratify the agreements between the Town of Chelmsford and Local 877 International Union of Operating Engineers-Cemetery, The Town of Chelmsford and Local 877 International Union of Operating Engineers-Highway Division, and the Town of Chelmsford and Chelmsford Patrol Officers NEPBA, Unit A, Local 6, and the Town of Chelmsford and Chelmsford

Superior Officers NEPBA, Unit B, Local 20 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Approve the Town Manager Performance Appraisal

Motion: by Selectman Dahlberg to approve the Annual Non-Union Employee Performance appraisal Review for Paul Cohen, Town Manager, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Selectmen Referrals

Selectman Kurland:
The www.chelmsfordpatch.com website is up and running.

Selectman Hanson:
Selectman Hanson reminded residents he would be available for comments at the Java Room on Wednesday, August 11, from 4-6PM.

Selectman Dahlberg:
Selectman Dahlberg and Selectman Hanson will have their next policy sub-committee meeting on August 16, 2010.

Chairman Dixon:
Chairman Dixon wished to acknowledge the passing of John Alden. Mr. Alden accomplished many things for the Town.

Congratulations were given to the Chelmsford Open Space Stewardship for the hard work they do at multiple sites all around Town.

Press Questions
Rita Savard of the Lowell Sun requested a copy of the Union Agreements for the Cemetery, Highway and Police Departments.

Executive Session
Motion: by Selectman Dahlberg to enter Executive Session for the purpose of discussing Strategies with respect to litigation regarding Newport Materials' appeal of Westford Planning Board's Denial of Special Permits for an Asphalt Plant, Strategy with respect to collective bargaining-adoption of 32B Section 18, and Considerations regarding the purchase of Alpha Road and Tracy Road Parcels for new DPW Facility.
Roll Call Vote:

Selectman Kurland: Aye
Selectman Hanson: Aye
Selectman Dixon: Aye
Selectman Dahlberg: Aye

The Board will not return to regular session.

Regular Meeting Adjourned at 8:29PM
Next Regular Meeting: August 23, 2010 at the Chelmsford Senior Center.

Respectfully Submitted,

Vivian W. Merrill, Recording Secretary

Senior Center
75 Groton Rd.

CHELMSFORD BOARD OF SELECTMEN
REVISED MEETING AGENDA
August 23, 2010

6:30 p.m. Call to Order - Notification of Televised Meeting
Executive Session:

- Strategy with respect to Collective Bargaining - Library Contract
- Strategy with respect to litigation concerning 9 North Rd.
- Consider the purchase of Alpha Road and Tracy Road Parcels for new DPW Facility

Unscheduled Business:

- Execute Order of Taking - 9 Alpha Road and adjoining Tracy Rd vacant parcel.
- A.W. Vinal Post No. 313 - One Day All Alcohol License, 8/28/10
- Town Manager Bid Awards – DPW Road Salt

7:30 p.m. Public Meeting, 9 North Road

Phase 1 30 Minutes – Presentations

5 minutes Epsilon LLC Presentation of its Proposed Development
5 minutes Presentation from former Selectman John Carson
5 minutes Report from Conservation Commission
5 minutes Report from the Historic District Commission
5 minutes Report from the Planning Board
5 minutes Report from Town Counsel

Phase 2 15 Minutes – Board of Selectmen Questions

5 minutes Board of Selectmen Clerk, Matt Hanson
5 minutes Board of Selectmen Member, Jon Kurland
5 minutes Board of Selectmen Chairman, George Dixon

Phase 3 60 Minutes – Public Input – 2 minutes per speaker

Phase 4 Closing Statements

5 minutes Epsilon LLC
5 minutes former Selectman John Carson

Executive Session - Strategy with respect to litigation regarding 9 North Road

Board of Selectmen Decision Regarding Preservation Restriction for 9 North Rd

Next Regular Meeting: September 13, 2010

*** This meeting is televised. ***

Cohen, Paul

From: Shirin Everett [SEverett@k-plaw.com]
Sent: Thursday, August 19, 2010 2:11 PM
To: Cohen, Paul
Subject: CHEL: DPW

Paul:

If possible, I recommend that the Selectmen enter into executive session to discuss any matters relating to the taking, and, when the discussion is over, ending the executive session and taking a vote in open session to execute the order of taking (with no further discussion in open session).

Shirin Everett, Esq.
Kopelman and Paige, P.C.
101 Arch Street
Boston, MA 02110
Phone: (617) 654-1731
Facsimile: (617) 654-1735
Email: severett@k-plaw.com

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
August 23, 2010

Senior Center
75 Groton Rd.

6:30 p.m. Call to Order - Notification of Televised Meeting
Executive Session
- Strategy with respect to Collective Bargaining - Library Contract
- Strategy with respect to litigation concerning 9 North Rd.

Unscheduled Business:
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- Town Manager Bid Awards – DPW Road Salt

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Executive Session - Strategy with respect to litigation regarding 9 North Road

Board of Selectmen Decision Regarding Preservation Restriction for 9 North Rd

Next Regular Meeting: September 13, 2010

*** This meeting is televised. ***

Approved 9/13/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
August 23, 2010

Attending:
George Dixon, Jr., Chairman
Jon Kurland, Selectman
Matt Hanson, Clerk
Paul Cohen, Town Manager
Atty. John Georgio, Kopelman & Paige
Atty. Patricia Cantor, Kopelman & Paige

Not Present:
Eric Dahlberg, Vice Chair

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded by Chelmsford Telemedia and Chelmsfordmassnews.com. This meeting was held at the Chelmsford Senior Center, 40 Groton Rd., No. Chelmsford, Ma 01863.

Chairman Dixon called the meeting to order at 7:30PM.

Unscheduled Business
Executive Order of Taking-9 Alpha Rd. and adjoining Tracy Rd. vacant parcel
Mr. Cohen explained the documents to acquire the parcel have been signed by the Board, and must be formally accepted.

Motion: by Selectman Kurland to approve the Executive Order of Taking for 9 Alpha Rd and the adjoining Tracy Rd. parcel, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

A.W. Vinal Post No. 313-One Day All Alcohol License, August 28, 2010
The applicant has been approved for a block party permit on the same day.

Motion: by Selectman Kurland to approve the One Day All Alcohol License and one day outside seating for 42 seats for American Legion Post 313, for August 28, 2010, from 12 noon to 6:00PM, to be exercised at the premises of 90 Groton Rd., North Chelmsford. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Bid Awards-DPW Road Salt
Mr. Cohen requested that the Board accept the road salt bid award. The bids are awarded as part of a town consortium involving multiple towns. The cost of the salt decreased from $64.50/ton to $59.65/ton.

Motion: by Selectman Kurland to approve the Town Manager's recommendation to award the road salt bid award to International Salt Co. of Charlestown, Ma and Newington NH, with the contingency bid award to Granite State Minerals of Portsmouth, NH, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Public Meeting, 9 North Rd.

Chairman Dixon thanked the public for their involvement in this process, and read the rules of conduct for the session. Chairman Dixon advised that this parcel was purchased by the applicant directly from Eastern Bank, not the Town.

Phase 1 30 Minutes-Presentations

Epsilon LLC Presentation of its Proposed Development
Atty. Philip Eliopoulos read a prepared statement. His father's intent in purchasing this parcel was to build an office building for his children. This project was designed with the preservation restriction limits in mind. Mr. Eliopoulos met with Evan Belansky, Thad Soule, HDC and other department heads to discuss the development. Town Counsel opinion was sought regarding the preservation restriction, the application and other documents, and Epsilon obtained their own legal opinion of the same. Judge Piper's ruling was read that the restriction does not bar development. Density limits are still being met. Mr. Eliopoulos spoke with Dr. Currie, who told him he is "at peace" with the development.

Presentation from former Selectman John Carson
Mr. Carson thanked the board for holding this hearing, and explained he was a Selectman from 1978-1981. Mr. Carson agreed the Planning Board, Historical Commission and Conservation Commission did their job. Mr. Carson referenced a letter written by Atty. Peter Lawlor to the Board of Selectmen and the Planning Board advising that id the preservation restriction was violated, the case could go to court. The Board of Selectmen's lack of response implied that no violation of the restriction had occurred. Since the request for a Public Hearing done on July 12, 2010, the applicant has been issued a building permit, and construction has begun. The appeal period for the building permit expires in two days. Mr. Carson admitted that he thought the preservation restriction would protect the area better. Language in the document should have been better. Mr. Carson referenced paragraph 7, which discusses small structures and paragraph 8 of the restriction, which is not consistent with the intent of the document. Mr. Carson urged the Board to appeal the building permit to the Planning Board and the Board of Appeals.

Report from Conservation Commission
David McLachlan, Chairman of the Conservation Commission listed the dates that this proposal was heard by the Commission. Mr. McLachlan explained how the Town's bylaws are stricter than the State's conservation bylaws. The plans were reviewed by the Conservation Agent and DPW, and all concerns were addressed by the applicant. The proposal was approved based on the project causing no impact to the resource area, the removal of invasive plants by the pond area, improvement of aesthetic values to the area, improved erosion control. And conformance to state guidelines for pollution and storm water management, in addition to other conditions. The Commission's unanimous approval of the proposal was not appealed by the DEP.

Report from the Historic District Commission
Cynthia Atkinson spoke for the Historic District Commission, and recalled that Phillip Eliopoulos approached them to discuss this project on June 15, 2010, and again in September and October of 2009. A public hearing was completed in November, in which few people attended. Mass. Historical provided an opinion, and Town Counsel provided their opinion of the preservation restriction. Both concurred that the development met the criteria of the restriction. Final site plans were submitted in December of 2009. The applicant agreed to return if any changes were made to the plans.

Report from the Planning Board
Ann McGuigan, Chairman recalled the applicant came before the Planning Board in October, 2009. Town Counsel agreed that the project was viable. Nine more hearings were held, and then two more hearings for additional Special Permits were held. The applicant complied with all conditions in regard to off street parking, loading, unloading, screening for abutters, parking lot design, landscaping, public safety and

aquifer protection. Mrs. McGuigan quoted part of Judge Piper's decision, and she stands by her Board's decision.

Phase 2 Board of Selectmen Questions
Chairman Dixon thanked the Boards for their time effort. Atty. John Georgio, of Kopelman and Paige advised that the Board needs to start with the document that was signed by the Board in 1978, and recorded with the Registry of Deeds. Regardless of intent, the document states certain conditions and parameters on lot coverage, uses of buildings and how development will affect open space. Judge Piper looked at the empirical restrictions, and agreed the project meets them. A court usually will determine that any ambiguity within the document will be construed in the least restrictive manner. Once a document is conveyed and recorded, a buyer can rely on it.

Board of Selectmen Clerk, Matt Hanson
Selectman Hanson felt the preservation restriction is specific to the role of the Board of Selectmen having authority to enforce the provisions of the restriction. The document clearly states structures can be built. Nonetheless, Selectman Hanson agreed to keep and open mind in tonight's deliberations.

Board of Selectmen Member, John Kurland
Chairman Dixon agreed to waive his time if Selectman Kurland needed additional time. Selectman Kurland asked Phillip Eliopoulos about buildings that were demolished in 1976, which included a barn and silo, two other barns, and two chicken coops. Selectman Kurland referenced a Town Report from 1976 that noted the parcel was acquired by the Town for municipal purposes. The preservation restriction gives the grantor the right to construct "buildings that formerly existed". Selectman Kurland questioned why Mr. Eliopoulos never went before the Board of Selectmen, knowing that this was the only Board that could enforce the preservation restriction. Selectman Kurland reviewed the minutes of an Executive Session held by the Board of Selectman in November, 2009, in which nothing is noted on this proposal. Mr. Eliopoulos explained the applicant used the same process used by Dr. Currie, which was to appear before the Planning Board and Historic District Commission. Town Counsel had agreed there was no violation of the preservation restriction, therefore, no need to appear before the Board of Selectmen. Selectman Kurland provided Mr. Eliopoulos a copy of the Board of Selectmen minutes of May 11, 1978, and read information regarding articles 34, 35 and 36, which referenced a plan of April 12, 1978 to construct the silo and drive-up of Central Cooperative Bank.

Board of Selectmen Chairman, George Dixon
As previously noted, Chairman Dixon waived his opportunity to speak.

Phase 3 Public Input
Susan Gates, 7 Trotting Rd. stated she was disturbed by the false information being cited against the developer, who has complied with every request from all the Boards it appeared before. She recommended the Board follow the rule of law, not mob rule. Atty. Georgio commented that Town Counsel id relied upon to tell the truth, and give good legal opinion.

Tom Gilroy, 14 Temi Rd. noted the land was only used previously as a balloon lift off area for the July 4th activities. Otherwise, it is a habitat for geese. This construction will add jobs, taxes and betterment for the Town.

Fran McDougall, 11 Dawn Dr. has listened to and watched the debate, and felt that the Board of Selectmen should have written what they meant. Now, the law will prevail.

Richard McClure, 8 Westford St. cited from a book on Land Use, and feels the Town is getting bad advice from Town Counsel. Phillip Eliopoulos sat on the Board of Selectmen for 12 years, and was

involved in the decision to use Kopelman & Paige as Town Counsel; therefore, Mr. McClure feels there is a conflict of Interest for the Town relying on information provided by Town Counsel.

Male resident, 9 Vincent Rd. stated he found Phillip Eliopoulos to be an upstanding citizen.

Steve Currie, 40 High St. explained that Dr. Currie is his uncle, who told him that 30 years ago he did not want to see this land built upon. The Lowell 5 Cents Savings Bank was constructed based on the view of the park.

Michael Kowalyk, 9 Whippletree Rd. noted that this parcel is private property, and the preservation restriction was left flexible because of the intent to build on the land and have more buildings on it, while keeping in mind open space.

Pat Magnell, 22 Jordan St. stated that as a resident, she prefers to have a judge decide this case. The Board of Selectmen and the Preservation Restriction are intended to serve the residents. This office building is not a barn like structure.

Bruce Magnell, 22 Jordan St. stated that the Board of Selectmen have the authority and obligation to enforce the preservation restriction and should do so.

Mary Donovan 7 Tanglewood Dr. stated that since the signs stating there is no skating, fishing or feeding of animals allowed have been installed, she has taken her banking business elsewhere. She has contacted Town Officials to see if the Town can take this parcel by eminent domain or adverse possession, and has not received an answer. She has visited and used the park for 46 years. Atty. Georgio explained the differences between taking by eminent domain and taking by adverse possession. Either way, it would require the Town to seek Town Meeting Approval, and to pay fair market value for the parcel.

Peter Lawlor, 50 Dalton Rd. stated he was a former selectman, and represented abutters to this parcel. He urged the Board to act on the preservation restriction in order to preserve a vital part of Chelmsford's history, and to preserve a piece of open space. The Lewis property was acquired for $1.2 million, and this parcel is smaller than that. The developer started construction while the case was still in litigation.

Maryann Paresky requested the Board allow an extended time for the hearing to allow all interested residents to speak, as many are being allowed to go over their 2 minute allotment.

Tom Moran, 19 Dennison Rd. stated the project should continue. Town Counsel has advised there are no violations of the restriction as written.

Pam Armstrong, Scotty Hollow, stated that as a former member of the Planning Board, she knows the work goes into these decisions. The pond will remain as it is today. The Board should follow the advice of Town Counsel.

Joan Crandall, 52 Garrison Rd. explained she has known the Eliopoulos family for years, and she hopes the project goes forward.

Joe Buckley, 180 Tyngsboro Rd. supports the project and agrees the restriction has not been violated. Opponents to the project are bullying the Board and the Town Manager.

Brian Latina, 15 Jessie Rd. stated an action by the Board will help both sides. Two homes were demolished in 1978, and the "pink" house by the library is also slated for demolition. The legal system should determine the intent of the preservation restriction, and the area should be open space.

Karen DeDonato, Town Meeting Representative, agreed the building permit should be appealed. The developer went ahead with construction at their own risk. The Town should look at purchasing this lot with CPC funds, and fix the fire station. This should be brought to Town Meeting, and the land should be taken by eminent domain.

Ed Moriarty, 15 Whippletree Rd. opposes this development, as the Town is becoming too developed.

Matt Cilento, Precinct 6, agreed the project should not move forward. The spirit of the preservation restriction states the area should be left as open space.

Dennis Ready, 16 Parkhurst Rd. attended the Board of Selectmen meeting in 1978, and recalled that the perception of the article was that the Town needed money to open the current Town Offices. Discussion at the time concentrated on whether the restriction would last in light of state reverter clauses. He urged the Board to stay with the project, as it has been approved by three separate boards.

Glen Thoren, Precinct 5 read a past newspaper article regarding this parcel. The proposed building is not "barn-like", and a parking lot is not open space. He felt the Board should deny the project, as this proposal is not an aesthetic improvement.

Dina Eliopoulos spoke as a doctor and member of the Epsilon Group. The land is zoned for commercial use. The development confirms their desire to stay in Town. The family has worked hard to be a good part of the community. She spoke with another doctor working in Village Square who supports the proposal. She asked the Board for their support.

Evo DiGiovani, no address provided, supports the project, and agreed the provisions of the preservation restriction have been met.

Dina Eliopoulos stated her family honors Chelmsford with this building.

Paul Gleason, 30 Pine Hill Rd., thinks the Boards have done a credible job, and agrees the Board should rely on Town Counsel's opinion, and not risk a lawsuit from Epsilon Group.

__ (noise) Resident stated compared the preservation restriction document to enforcement by a police officer. There needs to be a reason to enforce the document.

Clare Jeannotte, former Selectman, stated this proposal was not a controversial subject during her time on the Board. A letter from Atty. Lawlor caused them to seek Town Counsel's opinion on the matter. This poorly written document shows a desire to sell the land. The original Board that signed the document should have stated what they meant.

Allan MacLain, 10 Tanglewood Dr. recalled what the land looked like before and there was no facility even close to the size of the proposed building in this location. The parcel should remain open space.

Richard Codling, 26 Worthen St. compared this development to the mosque proposal at Ground Zero in New York. He felt this development will hurt the Town, and there will be hard feelings by the applicants after it is built.

Peggy Dunn, Bridge St. recalled much concern over the loss of open space in Town during 1978, as the town had grown from 15,000 people in 1970 to 30,000 people in 1980. She remembered Town Meeting defeating an article to use the funds from the sale of this parcel to restore the McFarlin School.

Paul Hart, former Selectman, disagreed with Town Counsel. The preservation restriction was drawn up by Dr. Currie and an attorney. The document references building a barn and silo, any other buildings would be small. The proposed building is large, and violates the conditions of the restriction.

Charlie Polay, 5 Colonial Terrace, spoke as a fellow developer, and advised that this is not the way to attract new business to Chelmsford.

Maryann Paresky, 10 Smith St. stated she concurs with Mr. Carson that the Board of Selectmen have not served the best interests of the Town. She questioned why the executive session minutes have not been released, and feels the Town should have purchased part of the land in order to help the Fire Station.

Kathy Howe, 51 Acton Rd. admitted she is angered by the things being said about the various Boards involved in this decision. The Boards must look at the written word, look at their own rules, and follow them.

Joan Hagopian, 4 Checkerberry Rd. cited the Town's motto, and asked the Board to do the moral thing for the Town and future generations.

Mr. Simorelis, Proctor Rd. spoke as a former teacher, and stated that good government is good politics. He was proud of the individuals that serve on these Boards and Committees. All things were considered in this application and decisions were made correctly. He feels the Eliopoulos family is dedicated to the Town.

Rose Salisbury, 63 Old Stage Rd. suggested that the developer should not have started building until all of the approvals were received.

Janet Redman, 12 Grove St. has gone to the pond on this parcel, and the pond will stay. She felt that people would have a better understanding of the project if they had attended the meetings and hearings from the beginning.

Linda Lowell, Precinct 7 was concerned how the decision made on this preservation restriction would affect other preservation restrictions. She also expressed concern that the proposal would be expanded from 9,000SF to 12,000SF.

Phase 4 Closing Statements

Epsilon, LLC
Philip Eliopoulos introduced Atty. Mark Browbowsky, as litigation counsel for Epsilon Group. Atty. Browbowsky explained that the Board of Selectmen did nothing wrong, and that this is a matter of law, not referendum. The preservation restriction does not provide for appearing before the Board of Selectmen. The key to this decision is the parole evidence rule; the decision is made on what was written, not what was intended. He referred to a document that was made available to attendees. Tab A included the decision made by Judge Piper. The restriction does not bar development. Atty. Browbowsky felt that the same Judge would most probably hear any future appeals. Phillip Eliopoulos explained that the intention was to live within the conditions of the preservation restriction. He respected the opinions presented this evening, and thanked residents for coming forward.

Former Selectman John Carson
Mr. Carson also read from Judge Piper's ruling, and wished to make the developer aware that he may still be denied. Mr. Carson questioned whether having the same counsel advise three different Boards was wise. Mr. Carson maintained the project does violate the restriction, and the Board of Selectmen must state their position. Mr. Carson requested the Board take action to appeal the Building Permit to The

Board of Appeals. Mr. Carson read Article 7, and felt the restriction was to allow small sheds, not a 2 ½ story building. The intent was to keep the Emerson House with open space. . Mr. Carson sees 3 violations of the restriction, and violating Article 1 violates the entire document.

Executive Session
Motion: by Selectman Kurland to enter Executive Session for the purpose of discussing Strategy with respect to litigation regarding 9 North Rd. Roll Call Vote:

Selectman Kurland: Aye
Selectman Hanson: Aye
Selectman Dixon: Aye

The Board will return to regular session.

Regular Meeting Initially Adjourned at 10:00PM

Board of Selectmen Decision Regarding Preservation Restriction for 9 North Rd.
Regular Meeting Resumed at 10:20PM, as called to order by Chairman Dixon.
Selectman Kurland explained that the Board's decision must be weighed on the merits of the case. The Eliopoulos' have a wonderful reputation in the legal community. Selectman Kurland maintained that the Boards have done what they were asked, and they did their job properly.

Motion: by Selectman Kurland that the Board of Selectman agree that the development of 9 North Rd. violates the Preservation Restriction under paragraph 7 discussing small structures, and under paragraph 8 discussing the intent of open space. **Motion fails for lack of a second.**

Motion: by Selectman Hanson that the development of 9 North Rd. complies with the conditions of the Preservation Restriction, as presented. Seconded by Selectman Dixon. Selectman Kurland opposed, all others in favor. **Motion carries.**

Selectman Kurland maintained that Judge Piper wanted the Selectmen to weigh in on the decision. Selectman Hanson stated he supports the preliminary injunction.

Motion: by Selectman Hanson to adjourn the meeting at 10:25PM.

Next Regular Meeting: September 13, 2010 at the Town Offices Building.

Respectfully Submitted,

Vivian W. Merrill, Recording Secretary

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

reg ✓ 9/13

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, August 9, 2010 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd.

Street Address

Elizabeth A. Delaney Tuesday June 6, 2010

Town Clerk's Signature Clerk/Bd. Member & Date

Exec Session – Minutes Tables on 9/13

RECEIVED

10 JUN 24 PM 4:16

TOWN OF [illegible]
ELIZABETH L. DELANEY
TOWN CLERK

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

reg ✓ 7/13

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, August 23, **Time:** 7:00 pm

Location: Town Offices Room Number: 224

Name of Building

50 Bellerica Rd Cancelled

Street Address

Elizabeth A. Delaney Linda A. Quinn 6/27/10

Town Clerk's Signature Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Executive Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, August 23, 2010 **Time:** 6:30 pm

Location: Senior Center Room Number: _____

Name of Building

75 Hudson Rd

Street Address

Elizabeth A. Delaney T. Young 8/5/10

Town Clerks Signature Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Public Hearing

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday August 23, 2010 **Time:** 7:30 (p.m.)

Location: Senior Center Room Number: _____

Name of Building

75 Haden Rd.

Street Address

Elizabeth H. Delaney

Town Clerk's Signature

8/5/10

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen Policy Sub-Committee

Date of Meeting: Monday August 16, 2010 Time: 6:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd

Street Address

Town Clerk's Signature

T. Quinn 8/9/10

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Policy Subcommittee

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, August 30, 2010 Time: 6:00 pm

Location: Town Offices Room Number: 2011

Name of Building

50 Bellerica Rd

Street Address

Elizabeth A. Denney

Town Clerk's Signature

8/24/10

Clerk/Bd. Member & Date

RECEIVED

10 AUG 24 AM 11:51

TOWN OF WILLIAMSFORD
ELIZABETH L. DELANEY
TOWN CLERK

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen Policy Sub Committee

Date of Meeting: Tuesday, August 3, 2010 **Time:** 6:00 pm

Location: Town Office Room Number: 110

Name of Building

50 Billerica Rd

Street Address

Town Clerk Signature

Clerk/Bd. Member & Date 7/30/10

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen Policy Subcommittee

Date of Meeting: Monday August 2, 2010 **Time:** 6:00 pm

Location: Town Office Room Number: 204
Name of Building

50 Billerica Rd.
Street Address

CANCELLED

Elizabeth A. Delaney — 7/26/10

Town Clerk's Signature — Clerk/Bd. Member & Date

RECEIVED

10 JUL 26 PM 12:56

ELIZABETH L. DELANEY
TOWN CLERK

SEPT 10

CHELMSFORD BOARD OF SELECTMEN
POLICY SUB-COMMITTEE
MEETING AGENDA
September 13, 2010

Town Offices
50 Billerica Rd.

6:00 p.m.	**Call To Order / Public Input**
7:302m.	**Review of Definitions and information**
7:0 p.m.	**To-do's for next meeting**

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
September 13, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order – Notification of live cablecast

Public Service Announcements
- Proclamation - Chelmsford Women of Today
- Farm Fair - September 18th
- Howl'ween Dog Costume Show and Trade Fair – October 16

Open Session

Committee Vacancies

Scheduled Business

Committee to Elect Pat Wojtas - One Day Beer & Wine License, CCA, October 1, 2010

Sarah Taylor - One Day Beer & Wine License, at Dance New England - October 9, 2010 & One Day Beer & Wine License, at CCA – October 10, 2010

Café Madrid – Amend Entertainment License

Dylan's Diner – Common Victualer License, Change of Hours

Sun Oil & Energy – Transfer of Underground Storage License, 81 Tyngsboro Rd.

Pat Maloney - Statement of Interest for Byam School roof and High School windows

7:30 p.m. National Grid – Underground Conduit Petition, Loiselle Lane

7:45 p.m. Comcast - Underground Conduit Petition, Meetinghouse Road

Badhri Uppiliappan - Greener Chelmsford Initiative Update

Town Manager Appointments
- Fire Chief
- Historic District Commission

Town Manager Reports
- Parkhurst Road Project
- Investment Report

Town Manager Bid Awards
- Town Halls Designer Services

*** This meeting is televised. ***

BOS Meeting Minutes

- Regular Meeting Minutes – August 9, 2010
- Executive Session Minutes – August 9, 2010
- Executive Session Minutes – August 23, 2010

Unscheduled Business

- Sign Fall Town Meeting Warrant
- Intention to Lay Out Public Footway on Glen Avenue

Selectman Referrals

Press Questions

Next Regular Meeting: September 27, 2010

Approved 9/27/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
September 13, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded.

Chairman Dixon called the meeting to order at 7:02PM.

Public Service Announcement
Proclamation-Chelmsford Women of Today
Kathy Simmons accepted the Proclamation for the Women of Today. Women of Today Week will be held from September 19-25, 2010. Ms. Simmons reviewed past accomplishments of the group, and announced they will be holding a food pantry event on October 23, 2010 from 9AM-3PM. Muffins with Santa will be held on December 11, 2010, and on October 7, 2010 the Library will hold a session on Chelmsford Open Spaces. The group meets every third Tuesday from September through June at the Library from 7-9PM. Anyone over age 18 is welcome to join them.

Farm Fair-September 18, 2010
Bernie Ready announced this event will be held at 40 Byam Rd from 12noon-4PM on Saturday, September 18, 2010. He listed things happening and groups participating during the event. Everyone is welcome to this free event.

Howl'ween Dog Costume Show and Trade Fair-October 16, 2010
Vivian Merrill announced the Chelmsford Dog Association is holding this event at the Parlee's Farm Corn Maze from 11AM-3PM. Vendors are welcome to apply for a $25.00 donation, contestant fees were provided, and other things happening were listed. General admission is free. A rain date will be October 17, 2010.

Open Session
Bill Griffin, 9 Bishop St. asked the Town to assist his neighborhood once again with the hearings pending in Billerica regarding the Aspen Apartments development. Hearings are pending with the Conservation Commission and Zoning Board. Mr. Griffin asked if the Town engineer could provide additional review of the soils analysis, as there appears to be a large amount of bedrock in the development area, not sandy soils as the developer cited. Selectman Kurland noted a 1200 vehicle auto auction was being planned not far away from this development. Mr. Griffin confirmed that this had been approved, and another large area in Billerica would be deforested. Selectman Dahlberg questioned if this project would be affected if the 40B law were to be repealed. Mr. Cohen was not sure, but did not believe anything would change.

Police Chief James Murphy announced the Police Department is holding a prescription drug take back program on September 25, 2010, from 10AM-2PM in their lobby. Residents are encouraged to bring their old, expired or surplus medications or controlled substances to the event for proper disposal.

Jim Lane, Chairman of the Master Plan Committee reminded residents to attend a Public Input Session on September 16, 2010, at the Chelmsford Senior Center, from 7-9PM. All draft documents are available by visiting www.nmcog.org. Preliminary information was provided to the Board for their review prior to the session.

Kelley Bedew, 117 Park Rd spoke on behalf of Chelmsford Telemeter to thank the Board for renewing their contract, and to apologize for the poor sound quality at the meeting on August 23, 2010 at the Senior Center. A video of the meeting can be watched online, they are still investigating what happened. For new Verizon customers, Chelmsford Telemedia's stations can be programmed on Channel 36 (educational), 37 (Government) and 38 (Public). Meetings in Tyngsboro and Westford can also be viewed on their station. Comcast and Verizon have stated they are not planning on providing high definition capabilities due to an issue with their contracts. Mr. Beede asked the Board to contact the providers to see if something could be worked out. Chairman Dixon agreed to attempt contact with Comcast and Verizon.

Committee Vacancies
Mr. Cohen provided a list of current vacancies, and stated applications are still being accepted for the Redistricting Committee. To date, 4 applications have been received, and they are all from Republicans. As this is a bi-partisan effort, other party affiliations are encouraged to apply.

Scheduled Business

Committee to Elect Pat Wojtas-One Day Beer & Wine License, CCA, October 1, 2010
Ms. Wojtas was present for questions. The campaign event is being held at the Chelmsford Center for the Arts from 6-11PM on October 1, 2010.

Motion: by Selectman Dahlberg to approve a One Day Beer and Wine License , on October 1, 2010 to the Committee to Elect Pat Wojtas from the hours of 6:00PM to 11:00PM, to be exercised on the premises of the Chelmsford Center for the Arts, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Sarah Taylor-One Day Beer & Wine License, at Dance New England-October 9, 2010 & One Day Beer & Wine License at CCA-October 10, 2010
Ms. Taylor was present for questions, and explained that a rehearsal dinner was being held on October 9, and her wedding was being held on October 10, 2010. TIPS certification documents were provided to Mr. Cohen.

Motion: by Selectman Dahlberg to approve two One Day Beer and Wine Licenses to Sarah Taylor, on October 9, 2010 at Dance of New England, for the hours of 6:30PM to 10:00PM, and on October 10, 2010, at the Chelmsford Center for the Arts from the hours of 2:00PM to 6:00PM, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Café Madrid- Amend Entertainment License
Larry Fadjo explained that with the creation of the new Havana Room, he is asking to include a television in the restaurant's entertainment license.

Motion: by Selectman Dahlberg to amend the Entertainment License of Café Madrid, 116 Chelmsford St. to include televisions. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Dylan's Diner-Common Victualer License, Change of Hours
Derrick Bobola requested to extend his hours to 9PM. He will be back to request a Beer and Wine License at a future meeting.

Motion: by Selectman Dahlberg to amend the hours of operation of Dylan's Diner from 6:00AM-2:00PM 7 days a week, to 6:00AM-9:00PM 7 days a week. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Sun Oil & Energy- Transfer of Underground Storage License, 81 Tyngsboro Rd.
Hassan Yatim was present for questions. He is requesting the transfer of underground storage license for three 10,000 gallon gasoline tanks on the property he has recently purchased to be opened as a Gulf Station. Mr. Yatim stated he has 20 years experience running gas stations in the Worcester area; this will be his first one in this area.

Motion: by Selectman Dahlberg to approve the transfer of the Underground Storage License at 81 Tyngsboro Rd from C.K. Smith & Co., Inc. to Sun Oil and Energy. The storage will remain the same: 30,000 gallons of underground storage consisting of 10,000 gallons unleaded gasoline, 10,000 gallons super unleaded gasoline and 10,000 gallons of diesel fuel, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Pat Maloney-Statement of Interest for Byam School roof and High School windows
Mr. Maloney explained he is pursuing grant funding through the Massachusetts School Building Authority to make these improvements. The program requires that the building must remain in use as a school for the life of the improvements. The grant would cover 50% of the cost of the improvements, which would be reimbursed to the Town. Mr. Maloney estimates the windows at the High School will cost $1.3 million, and the roof at Byam Elementary will cost about $500,000.00, for a total of $2.3 million. The grant application is due by September 22, 2010, and requires formal approval by the school department and the Board of Selectmen. The initial funding would be approved through Town Meeting, in a similar fashion to what was done for the recently completed projects at the High School and Middle Schools. Mr. Cohen felt the chance of being approved for this grant was very good, based on the Town's history with the granting authority, and due to the limited scope of work being approved by the application. Mr. Maloney anticipates a 5% energy savings by completed this work.

Motion: by Selectman Dahlberg to approve the statement of interest and submission of the MSBA grant application as Resolved: Having convened in an open meeting on Monday, September 13th, the Board of Selectmen of Town of Chelmsford in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated September 16, 2010 for the Chelmsford High School, located at 200 Richardson Rd. and the Byam Elementary School located at 25 Maple Rd. which describes and explains the following deficiencies and the priority category(s) for which Town of Chelmsford/School District may be invited to apply to the Massachusetts School Building Authority in the future for a Green Repair Program of replacement windows at Chelmsford High School and a new roof at Byam Elementary School and hereby further specifically acknowledges that by submitting this Statement of Interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Chelmsford to filing an application for funding with the Massachusetts School Building Authority, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

National Grid-Underground Conduit Petition, Loiselle Lane
David Aguiar of National Grid was present for questions. The company would like to extend the underground conduit to 11 Loiselle Lane. DPW has reviewed the application and recommends approval. The Board had no further questions on the application.

No Comments from the audience.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the placement of underground conduit including the necessary sustaining and protecting fixtures for 11 Loiselle Lane as depicted on Pole Petition Handhole #5 Plan # 8686514, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Comcast-Underground Conduit Petition, Meetinghouse Rd.
Joe Gaudette of Comcast was present for questions regarding their request to extend their underground conduit on Meetinghouse Rd. The Board had no questions on the application.

Audience Comments:

Michelle Rathborne was present on behalf of the company located at 4 Meetinghouse Rd. to explain that approval of this request was important to them so they could provide improved service to their clients.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the extended placement of underground conduit and manholes including the necessary sustaining and protecting fixtures for Meetinghouse Rd. as depicted on Plan entitled "Proposed Comcast Underground Conduit Meetinghouse Rd" dated August 9, 2010, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Badhri Uppiliappan-Greener Chelmsford Initiative Update
Mr. Uppiliappan explained the program was created to showcase businesses in Chelmsford who find ways to use "green technology" in their businesses. Recent awardees included Chelmsford Copy and Secretarial in December 2009, Chelmsford Housing Authority in January 2010, Enterprise Bank and Trust as a business partner in May 2010, Chelmsford Inn/Best Western in July 2010, and Radisson Chelmsford is pending in September 2010. Potential organizations to involve include Hannaford's, Einstein Brothers, Café Madrid, Kohl's, The Paper Store, and the Chelmsford Water District. The group is trying to create a leadership council of businesses from various segments. The group is also looking at ways to "green" the vendors at the Town's July 4 celebration, and looking at ways of composting organic waste. National Grid is still offering rebates for insulation and weatherization of homes.

Town Manager Appointments
Fire Chief
Mr. Cohen introduced Michael Curran as the new Fire Chief, effective October 1, 2010.

Motion: by Selectman Dahlberg to accept the Town Manager's appointment of Michael Curran as the new Fire Chief effective October 1, 2010. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Mr. Curran came forward to thank several groups and people for this opportunity, and was congratulated by the Board.

Historic District Commission
Mr. Cohen received one application for this vacancy.

Motion: by Selectman Dahlberg to accept the Town Manager's appointment of Patrick Wood as alternate for the Historic District Commission, for a term to expire June 30, 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Reports
Parkhurst Rd. Project
Mr. Cohen announced that the Department of Transportation has solicited bids for this project, and has awarded the bid to J. Tropeano Inc. Mr. Cohen wished to thank all of the people involved in getting this project approved.

Investment Report
Mr. Cohen provided summary information from John Sousa regarding the Town's investments for FY 2010. Most of the Town's investments are with local banks. The total of all cash and investments is $33,861,756.80.

Town Manager Bid Awards
Town Halls Designer Services
Three firms responded to this bid request.

Motion: by Selectman Dahlberg to confirm the Town Manager's bid award to Bartman, Hendry & Architect of Boston for design services not to exceed $235,400.00 for the Center Town Hall, and not to exceed $261,500.00 for the North Town Hall. Seconded by Selectman Hanson. **Motion carries, unanimous.**

BOS Meeting Minutes
Regular Meeting Minutes-August 9, 2010

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of August 9, 2010 as amended. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Executive Session Meeting Minutes-August 9, 2010
These minutes were tabled.

Executive Session Meeting Minutes-August 23, 2010

Motion: by Selectman Hanson to approve but not release the Executive Session Meeting Minutes of August 23, 2010 as presented. Seconded by Selectman Kurland. Selectman Dahlberg abstained, all others in favor. **Motion carries.**

Unscheduled Business
Sign Fall Town Meeting Warrant
Mr. Cohen read through the list of 20 warrant articles to be presented at Fall Town Meeting.

Motion: by Selectman Dahlberg to sign the 2010 Fall Town Meeting Warrant as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Intention to Lay Out Public Footway on Glen Avenue
Mr. Cohen explained the process necessary to create a new public sidewalk by the new Stop and Shop location. Tonight's motion will authorize the Board to acquire the easement for the sidewalk.

Motion: by Selectman Dahlberg to approve the intention to lay out as a public footway the parcel of land shown as "Proposed Easement Area=2,766SF=0.0635Ac" on a plan entitled "Plan of Land in Chelmsford, Massachusetts Showing Proposed Easement to be Conveyed to the Town of Chelmsford Prepared for Pinnacle Partners," dated April 30, 2010 prepared by Merrimack Engineering Services, and that the Board of Selectmen forward the layout petition and plan to the Planning Board for its comments and recommendations pursuant to G.L. c. 41, ss 81G and 81I. Seconded by Selectman Hanson. **Motion carries, unanimous.**

On a separate matter, Mr. Cohen stated that the letter received from a resident regarding the culvert on Lisa Lane has been forwarded to DPW to review.

Selectmen Referrals

Selectman Kurland:
Yom Kippur is this coming weekend, celebrating the year 5771.

Residents were reminded that tomorrow is Election Day.

The Senior Center is holding a Ham & Bean Supper fundraiser on September 29, 2010.

Selectman Hanson:
New office hours at the Java Room are on Wednesdays from 5-6 PM, for anyone wishing to discuss concerns.

Residents were encouraged to get out and vote tomorrow.

Selectman Dahlberg:
Many residents turned out to help fill sand bags at Crooked Spring this past Saturday.

Chairman Dixon:
The Chelmsford Alumni Society's fourth Annual Golf Tournament is being held on October 1, 2010 beginning at 8:30AM.

Chelmsford High School's coach Jack Fletcher will be retiring this year.

Press Questions
No one came forward at this time.

Regular Meeting Adjourned at 8:29PM
Next Regular Meeting: September 27, 2010.

Respectfully Submitted,

Vivian W. Merrill,
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
September 27, 2010

Town Offices
50 Billerica Rd.

7:00 p.m Call to Order – Notification of live cablecast

Public Service Announcements
- Recognition of ATEF members
- Proclamation Toastmaster's Month

Open Session
Committee Vacancies

Scheduled Business

Candidates for Selectmen

7:30 p.m Dylan's Diner – Beer & Wine License

Marcus & Leslie - One Day Beer & Wine License, CCA, November 12

St. Vartanantz Armenian Church - One Day All Alcoholic License 10/2

St. Vartanantz Armenian Church – One Day Beer & wine License 11/2

Intention to Lay Out Public Footway on Glen Avenue

Town Manager Bid Awards
- Solar Photovoltaic System Installation at High School
- Highway Department Backhoe / Loader

Town Manager Appointments
- Conservation Commission
- Permanent Building Committee

BOS Appointments
- Legislative Redistricting Committee

BOS Meeting Minutes
- PENDING - Executive Session Minutes – August 9, 2010
- Regular Meeting Minutes – September 13, 2010

Selectman Referrals

Press Questions

Executive Session
- Strategies with respect to Collective Bargaining
- Strategies with respect to Litigation

Next Regular Meeting: October 4, 2010

*** This meeting is televised. ***

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Approved 11/22/2010

Regular Meeting MINUTES
September 27, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded.

Chairman Dixon called the meeting to order at 7:02PM.

Public Service Announcement
Recognition of ATEF Members
Certificates of Appreciation were read by Selectman Dahlberg for George Ripsom and Glenn Doherty. Kirk Marshall thanked the Board for the recognition, and described some of the accomplishments of Mr. Doherty. Evelyn Thoren spoke to recognize Mr. Ripsom's accomplishments. Mr. Ripsom thanked the Board and the Foundation.

Proclamation-Toastmaster's Month
The proclamation was read by Selectman Dahlberg. Daniel Barrett accepted the proclamation, and announced a free Open House is being held at the Chelmsford Center for the Arts on October 14, 2010. More information can be obtained from www.chelmsfordtoastmasters.org.

Open Session
Paul Rigazio, 25 Clover Hill Dr., stated he was happy to see the Board planned to appoint the Redistricting Committee, as he was unhappy with the previous delay.

Susan Gates spoke on behalf of the Chelmsford Center of the Arts to announce an Indian Folk Festival on October 3 from 2-5PM, Estofest on October 9, and the Chelmsford Farmers Market will be open through October 14, 2010.

Bill Griffin, 9 Bishop St. was following up on his request two weeks ago, requesting the Town's help in sharing expenses and appearing before the Town of Billerica Conservation Commission to oppose the development of Aspen Apartments based on site plan review, the engineer's comments, and third party review of the soil data. The Billerica Conservation Commission is holding their meeting on October 13, 2010. The neighborhood group has been told a report will cost about $2,000.00, and the consultant charges $160.00/hour. This proposal has been debated for 2 years; Mr. Griffin has reason to believe the Commission will render a decision at their meeting on October 13. Mr. Cohen explained he supports the partnership, and is willing to appropriate $1160.00 to help the neighborhood.

Motion: by Selectman Dahlberg to authorize the Town Manager to expend no more than $1,160.00 from the Board of Selectmen Office Account, and to appear at the Billerica Conservation Commission's

October 13, 2010 meeting, for the appeal of the Aspen Apartment development proposal. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Bill Bailey, 24 State St. confirmed what Mr. Griffin stated, and that the material presented to the Billerica Boards has errors, and Bishop St. will have big problems if close maintenance of the drainage system is not followed. Mr. Bailey was not sure why the applicant went to the Conservation Commission, as the Zoning Board has not received requested information from the applicant.

Anton's Cleaners Coats for Kids Program
Mr. Cohen announced this year's program will run from October 16, 2010 to January 8, 2011. Chelmsford was in the top 10 communities for collecting over 11,000 coats last year.

Scheduled Business

Candidates for Selectmen
Selectman candidates were asked to introduce themselves and explain why they are running.
Jim Lane explained he has always had an interest in government, has had experiences in several Town committees including the recent Master Plan, and has management experience that will help the Board make sound decisions. More information can be seen at www.electjimlane.com, or by calling him at home or via e-mail.

Jerry Loew, 38 Hall Rd. feels the Town is in crisis, and he has concerns over allowed development and the education system. He also cited his business experience, and felt the recent Master Plan is vague enough to still allow overdevelopment. He hoped there are additional opportunities for debate, as he missed one due to his mother's passing.

Pat Wojtas described herself as practical and realistic, and understands some of the Board's tough decisions that need to be made. Her past experience will help the Board. Her campaign party is on October 1, from 6-11PM at the Chelmsford Center for the Arts.

Dylan's Diner-Beer and Wine License
Derrick Bobola requested this license as he feels it will complement his current menu. His current management experience includes 4-5 years at a restaurant in Dracut that had a full alcohol license. The audience had no comments. Mr. Bobola was advised of the Board's policy to continue the hearing for 2 weeks.

Motion: by Selectman Dahlberg to continue the hearing for Dylan's Diner to October 4, 2010, per the Board's policy. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Marcus & Leslie-One Day Beer and Wine License-CCA November 12
The applicant was not present. Mr. Cohen explained the request was being made for a fashion show from 5-10PM at the Chelmsford Center for the Arts. TIPS certification has been received. Selectman Dahlberg wished to table the decision until the applicant could be present.

St. Vartanantz Armenian Church-One Day All Alcohol License, October 2, 2010
St. Vartanantz Armenian Church-One Day Beer and Wine License November 2, 2010.
Carol Hildebrande was present for questions on these two events. October 2 is a request for a wedding, and November 12 is a fundraiser which will have beer and wine only.

Motion: by Selectman Dahlberg to approve two One Day Licenses to St. Vartanantz Church on the following dates: October 2, 2010 for an All Alcoholic Beverages License for the hours of 4:00PM to 11:00PM, and November 12, 2010 for a Beer and Wine License for the hours of 6:00PM-10:00PM to be

exercised at 180 Old Westford Rd. Chelmsford as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Intention to Lay Out Public Footway on Glen Avenue
Mr. Cohen explained the process necessary to create a new public sidewalk by the new Stop and Shop location. The Planning Board voted 6-0 to approve, with one abstention. Tonight's motion will authorize the Board to adopt the Order of Layout.

Motion: by Selectman Dahlberg to approve an Order of Layout of Public Footway pursuant to GL c. 82, ss21-24, 33, having deemed that common convenience and necessity require the layout of a certain parcel of land as a public footway, hereby lays out as a public footway the parcel of land described below and shown on the plan referenced below, and whereas the boundaries of said parcel as laid out are shown as "Proposed Easement Area=2,766SF=0.0635Ac" on a plan entitled "Plan of Land in Chelmsford, Massachusetts Showing Proposed Easement to be Conveyed to the Town of Chelmsford Prepared for Pinnacle Partners," dated April 30, 2010 prepared by Merrimack Engineering Services, which plan was referred to the Planning Board and which plan is hereby adopted as a part of this order, and all land lying within the above described boundaries of the Easement Area is hereby laid out as a public footway. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Bid Awards
Solar Photovoltaic System Installation at High School
One firm responded to this bid request. The Town has been awarded a $150,000. Energy Efficiency and Conservation Block Grant to fund the construction of this system.

Motion: by Selectman Dahlberg to confirm the Town Manager's bid award to Ostrow Electric Company, 9 Mason St., Worcester, Ma for installation of the Solar Photovoltaic System at Chelmsford High School. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Highway Department Backhoe/Loader
John Long reviewed the bids for replacing this equipment, as was allowed for under Capital Improvements. The budgeted amount for the equipment was $150,000.00.

Motion: by Selectman Dahlberg to confirm the Town Manager's bid award to Southworth Milton for a 2010 Backhoe loader for the Highway Department, in the amount of $144,177.00. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Appointments
Conservation Commission

Motion: by Selectman Dahlberg to accept the Town Manager's appointment of Dr. Holly A. Parker to the Conservation Commission, for a term to expire on June 30, 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Permanent Building Committee

Motion: by Selectman Dahlberg to accept the Town Manager's appointment of Kathleen Howe for the Permanent Building Committee, for a term to expire June 30, 2012. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Reports

Mr. Cohen announced that there will be a ceremony next Tuesday, October 5, 2010 commemorating the Brownfield's grant awards for the clean up of 25 Katrina Rd.

The auction for the Hi-way Farm Alcohol License was cancelled and the State Department of Revenue has released the seizure of the license. Notice has been sent to Mr. Vrouhas to appear before the Board on October 4, 2010 to provide an update of their intentions.

BOS Appointments
Legislative Redistricting Committee
Five applications were received for this committee.

Motion: by Selectman Dahlberg to appoint Thomas DiPasquale, Paul J. Rigazio and Samuel Poulton to the Legislative Redistricting Committee, for a term to expire June 30, 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion amended: by Selectman Dahlberg to appoint Thomas DiPasquale, Paul J. Rigazio and Samuel Poulton, Selectman Jon Kurland and Selectman Matthew Hanson to the Legislative Redistricting Committee, for a term to expire June 30, 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Mr. Cohen announced that he and Betty Delaney will attend a training seminar for the Town's potential redistricting, based on the 2010 Census results, which should become available in 3 months. Mr. Cohen did not foresee a change in the number of precincts, but some of the precinct lines may change, which could alter Town Meeting process. More information will be forthcoming.

BOS Meeting Minutes
Executive Session Meeting Minutes-August 9, 2010

Motion: by Selectman Hanson to approve but not release the Executive Session Meeting Minutes of August 9, 2010 as presented. Seconded by Selectman Kurland. Selectman Dahlberg abstained, all others in favor. **Motion carries.**

Regular Meeting Minutes-September 13, 2010

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of September 13, 2010 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Committee Vacancies
Mr. Cohen provided a list of current vacancies; interested applicants are encouraged to apply through the Town Manager's office or via the Town's website.

Selectmen Referrals

Selectman Kurland:
"Office Hours" will be at the Java Room on October 2, 2010 starting at 9AM.

The Public Library is hosting a new lecture series at 10AM on the second Friday of each month. The topic for the next three months will be "Peace building". More information is available on the library's website. This is a free event.

Selectman Hanson:

New office hours at the Java Room are on Wednesdays from 5-6 PM, for anyone wishing to discuss concerns.

Residents were encouraged to attend any of the events at the Chelmsford Center for the Arts.

Selectman Dahlberg:
No Referrals.

Chairman Dixon:
Congratulations were given to the Chelmsford Pop Warner organization for a successful completion of their new building, which is being dedicated to long time School Committee member Angelo Taranto.

Press Questions
No one came forward at this time.

Executive Session

Motion: by Selectman Dahlberg to enter Executive Session for the purpose of discussing strategies with respect to Collective Bargaining and strategies with respect to Litigation, not to return to Regular Session. Seconded by Selectman Hanson. Roll Call Vote:

Selectman Kurland: Aye
Selectman Hanson: Aye
Selectman Dixon: Aye
Selectman Dahlberg: Aye

Regular Meeting Adjourned at 8:25PM
Next Regular Meeting: October 4, 2010.

Respectfully Submitted,

Vivian W. Merrill,
Recording Secretary

List of Reference Documents:
-Certificate of Appreciation-George Ripsom, Sr.
-Certificate of Appreciation Glenn L. Doherty
-Proclamation of Toastmaster's Month
-DPW letter regarding Aspen Apartments dated September 27, 2010
-Anton's Coats for Kids flyer
-Application for Alcoholic Beverage license for Retail Sale for Dylan's Diner, including seating plan and list of abutters
-Application for One Day License for Marcus & Leslie
-Applications for 2 One Day Licenses for St. Vartanantz Armenian Church
-Memo and supporting documents of August 20, 2010 for Layout of Public Footway on Glen Ave.
-Memo dated September 21, 2010 regarding the Solar Photovoltaic System
-Memo dated September 23, 2010 regarding the Backhoe/Loader for the Highway Department
-Committee Applications for Holly Parker and Kathleen Howe
-Committee Applications and supporting documents for the Legislative Redistricting Committee
-Committee Vacancies List

-Pending BOS minutes for approval for August 9, 2010 and September 13, 2010. Minutes of August 9, 2010 are not to be released.

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, September 13, 2010 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

30 Billerica Rd

Street Address

Town Clerk's Signature

Clerk/Bd. Member & Date 9/9/10

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, September 27 **Time:** 7:00 pm

Location: Town Offices **Room Number:** 204

Name of Building

50 Billerica Rd

Street Address

Elizabeth H Delaney

Town Clerk's Signature

9/16/10

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Policy Sub-Committee

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, September 13, 2010 **Time:** 6:00 pm

Location: Town Offices Room Number: 2041

Name of Building

50 Billerica Rd.

Street Address

Town Clerk's Signature

Clerk/Bd. Member & Date 9/9/10

RECEIVED

10 SEP -9 PM 2:39

ELIZABETH L. DELANEY
TOWN CLERK

OCT 10

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
October 4, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order – Notification of live cablecast

Public Service Announcements
- Trick or Treating Hours – Sunday, October 31, 5 – 8 PM

Open Session

Committee Vacancies

Scheduled Business

Demetra Bristol – One Day Beer & Wine License, CCA October 16, 2010

Susan Graves - One Day Beer & Wine License, CCA October 17, 2010

Sarah Howarth – One Day Beer & Wine License, CCA October 30, 2010

Marcus & Leslie - One Day Beer & Wine License, CCA November 12, 2010

7:30 p.m. Dylan's Diner – Beer & Wine License

7:35 p.m. Public Hearing - Highway Farm Market – Package Store License

Jim Lane - Master Plan Presentation & BOS vote of endorsement

Beth Logan – Open Space & Recreation Plan presentation

Unscheduled Business
- Positions on Town Meeting Warrant Articles
- Sign State and Special Town Election Warrants
- Approved changes to Underground Utility Legislation

Selectman Referrals

Press Questions

Executive Session
-

Next Regular Meeting: October 25, 2010

*** This meeting is televised. ***

Approved 11/8/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
October 4, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded.

Chairman Dixon called the meeting to order at 7:00PM.

Public Service Announcement
Trick or Treating Hours-Sunday, October 31, 2010, 5-8PM
Chairman Dixon announced the above hours for Halloween Trick-or-Treating.

Open Session
No one came forward at this time.

Committee Vacancies
Mr. Cohen explained the list of current vacancies is the same as last meeting; interested applicants are encouraged to apply through the Town Manager's office or via the Town's website.

Scheduled Business

Demetra Bristol-One Day Beer and Wine License, CCA, October 16, 2010
Ms. Bristol was present for questions. The event is a concert and fundraiser for Westford Chorus. TIPS Certification is on file. The wrong box is checked on the application, there will only be beer and wine.

Motion: by Selectman Dahlberg to approve a One Day Beer and Wine License to the Westford Chorus, to be exercised on the premises at the Chelmsford Center of the Arts on October 16, 2010, from 7:00PM-10:00PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Susan Graves-One Day Beer and Wine License, CCA, October 17, 2010
Ms. Graves was present for questions. The event is a fundraiser for Budget Buddies, a program that partners with other social service agencies to assist women in need. TIPS certification is on file.

Motion: by Selectman Dahlberg to approve a One Day Beer and Wine License to Budget Buddies, to be exercised on the premises at the Chelmsford Center of the Arts on October 17, 2010, from 3:00PM-5:00PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Sarah Howarth-One Day Beer and Wine License, CCA, October 30, 2010
Ms. Howarth was present for questions. The Halloween Ball is being held as a fundraiser.

Motion: by Selectman Dahlberg to approve a One Day Beer and Wine License to the Chelmsford Halloween Committee, to be exercised on the premises at the Chelmsford Center of the Arts on October 30, 2010, from 7:00PM-11:30PM, subject to receiving TIPS Certification for Pat Suleski prior to the event. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Markus & Leslie-One Day Beer and Wine License, CCA, November 12, 2010
Markus Lewis was present for questions. The event is a fashion show and clothing sale. TIPS certification is on file.

Motion: by Selectman Dahlberg to approve a One Day Beer and Wine License to the Markus and Leslie Boutique, to be exercised on the premises at the Chelmsford Center of the Arts on November 12, 2010, from 5:00PM-10:00PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Open Session
No one came forward at this time.

Jim Lane-Master Plan Presentation & BOS vote of Endorsement
Mr. Lane provided the Board with an outline describing the 2 year process used to complete the Master Plan. The presentation included the Mission Statement, a brief history of the process since 1963, guiding principles used, the vision and message. Mr. Lane noted the extensive public input process used to gather input, and noted that the Committee agreed the current zoning bylaws will need updating. Another new aspect of this Master Plan is that it includes provisions for implementation, which will be monitored by a new Implementation Steering Committee. Mr. Lane provided a brief summary of each section of the Master Plan, which was broken down into seven categories: Transportation, Cultural and Historic Resources, Land Use and Zoning, Housing, Open Space and Recreation, Economic Development, and Services & Facilities. Mr. Lane asked for the Board's endorsement of the Plan. He will ask for the Planning Board's endorsement at their meeting on October 6, 2010, and will formally present the Plan at Town Meeting. A full copy of the Plan is available online and at the library. Selectmen Kurland and Hanson agreed the Plan as presented will help the Town move forward. Selectman Dahlberg confirmed that the timelines provided for the various recommendations did not indicate their priority.

Motion: by Selectman Dahlberg to endorse the 2010 Chelmsford Master Plan as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Dylan's Diner-Beer and Wine License-Continued
Derrick Bobola was present for further questions. Mr. Cohen explained that no concerns have been received from the public or other Town Boards during the time the Hearing was continued. No further comments were received from the audience.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve a Beer and Wine Restaurant License to Dylan's Diner, to be exercised on the premises at 83 Parkhurst Rd., Unit 17, for the hours of 6:00AM-9:00PM seven days a week, with a seating capacity of 44. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Public Hearing-Hi-Way Farm Market-Package Store License
Dino Vrouhas was present for questions. A letter from the applicant's attorney was read into the record, which indicated that a lease was being finalized, and should be completed by October 20, 2010. The applicant anticipates being open for business as of November 1, 2010. Mr. Cohen recommended this hearing be continued to the next meeting October 25, 2010.

Open Session
No one came forward at this time.

Beth Logan-Open Space and Recreation Plan presentation
Ms. Logan provided a copy of the final draft Open Space and Recreation Plan to the Town Manager. Ms. Logan identified the Committee members, and explained the Plan follows the State mandated guidelines and requirements, in order that the Town may apply for certain grant opportunities in the future. Ms. Logan noted that the Town has less than 8% of protected Open Space, and 2400 acres of unprotected open space. A summary of types of open space was provided, as well as an analysis of needs, goals and objectives and action plans for achieving the goals. Most of the objectives in the Plan align with the Master Plan. The Committee also assigned responsible parties for various parcels, and provided time tables and prioritization of goals. The draft plan will be presented to the State for approval. Ms. Logan asked that the implementation of this plan be included with the implementation of the Master Plan. Comments from other Boards, interested parties and residents were requested prior to the end of November. Copies of the Plan will be available online and in the library. Another presentation will be given at Town Meeting.

Unscheduled Business
Positions on Town Meeting Warrant Articles
Mr. Cohen provided a review of each of the 20 articles to be discussed at the Fall Town Meeting to be held starting on October 18, 2010. The Finance Committee has reviewed the articles already. Articles 1-Reports of Town Officers and Committees and 2-Transferr of Free Cash into Stabilization Fund were traditional articles and did not require formal endorsement. Article 3 involves an e-rate reimbursement to the School Department of $33,457.00.

Motion: by Selectman Dahlberg to approve Article 3 as presented. Seconded by Selectman Hanson.
Motion carries, unanimous.

Article 4 involves annual adjustments to the FY11 operating budget, which was unanimously adopted by the Finance Committee. Adjustments were added to include added expenses for the special election, and implementation of the Ethics and Open Meeting Laws, increased expenses relating to abatement requests, foreclosure petitions and tax delinquencies, increased expenses relating to the Town Halls projects and the DPW project, MIS system and Fire Chief Assessment, increased expenses due to retirements in the Fire Department, increased help with building permits and zoning enforcement, training costs for new building code, additional repairs to the Center Fire Station floor, kitchen equipment replacement at the Senior Center, replacement of a bucket truck, and several retirements at the library. John Sousa explained the adjustments needed due to betterment funded debt service for the sewer project and the excluded debt imposed by the Alpha Rd. building acquisition and a refund for an old sewer note.

Motion: by Selectman Dahlberg to approve Article 4 as presented. Seconded by Selectman Hanson.
Motion carries, unanimous.

Discussion of Article 5 was tabled until October 18, 2010.

Article 6 is for the replacement of the Byam Elementary School roof, part of which will be reimbursed by the State under the Massachusetts School Building Authority's Green Repair Program. Mr. Cohen explained that this project will not go forward without the proper funding assurances.

Motion: by Selectman Dahlberg to approve Article 6 as presented. Seconded by Selectman Hanson.
Motion carries, unanimous.

Article 7 is a similar request for window replacement at the Chelmsford High School.

Motion: by Selectman Dahlberg to approve Article 7 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Article 8 is a CPC funding request in conjunction with the Chelmsford Housing Authority with respect to the preservation of 16 units of Affordable Housing on 86 Richardson Rd.

Motion: by Selectman Dahlberg to approve Article 8 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Article 9 is for the payment of CPC debt service on the bonds for Sunny Meadow Farm, Old Town Hall and North Town Hall.

Motion: by Selectman Dahlberg to approve Article 9 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Article 10 discusses a Home Rule Petition for Municipal Health Insurance, which would authorize the Board of Selectmen to seek special state law to modify employee, retiree and dependent health insurance policies and plan design without being subject to collective bargaining.

Motion: by Selectman Dahlberg to approve Article 10 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Approval of Article 11 would change the permitted time from noon to 10AM for Sunday Alcohol sales.

Motion: by Selectman Dahlberg to approve Article 11 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Article 12 is a change to the Town Charter which would eliminate language that requires there be nine voting precincts.

Motion: by Selectman Dahlberg to approve Article 12 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Article 13 would designate 14 parcels of land as Conservation Land. This process was never voted on at the October 1974 Town Meeting, although the parcels were conveyed to the Town in April, 1975. .

Motion: by Selectman Dahlberg to approve Article 13 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Article 14 will authorize the Board of Selectmen to acquire a gift of 12 parcels of land, located in various areas of Town. The parcels will be included in the Open Space Inventory, as they are not developable.

Motion: by Selectman Dahlberg to approve Article 14 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Article 15 involves a 1.26 acre parcel of land off of Parkhurst Rd., by Route 3, which will be taken by the Town via "Deed in Lieu of Foreclosure" for failure by the prior owner to pay property taxes on it.

Motion: by Selectman Dahlberg to approve Article 15 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Approval of Article 16 will authorize the Board of Selectmen to accept the easement for the sidewalk on Glen Ave., by the proposed Stop and Shop development.

Motion: by Selectman Dahlberg to approve Article 16 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Evan Belansky explained that Article 17 amends section 195-9 of the zoning bylaws to allow the Zoning Board of Appeals to issue a Special Permit that would allow a 20% reduction of front, side and rear setbacks for single and two family dwellings.

Motion: by Selectman Dahlberg to approve Article 17 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Mr. Belansky explained that Article 18 allows for accessory apartments to be created for no more than 2 extended family members, and would increase allowable apartment size from 600SF to 750SF.

Motion: by Selectman Dahlberg to approve Article 18 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Mr. Belansky explained that Article 19 would allow an increase from 5 to 7 parking spaces in dead-end parking lot aisles for only restaurants, retail establishments and medical related uses. The Planning board is hearing this matter on October 6, 2010. The Board tabled their vote to October 18, 2010

Article 20 would correct a typographical error on the Storm Water System Discharges Bylaw that was approved in Spring 2010.

Motion: by Selectman Dahlberg to approve Article 20 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Sign State and Special Town Election Warrants

Motion: by Selectman Dahlberg to post the warrants for the State and Special Town Elections to be held on November 2, 2010 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Approved Changes to Underground Utility Legislation

This matter was tabled until the next regularly scheduled Board Meeting.

Selectmen Referrals

Selectman Kurland:
The most recent Eagle Scout Court of Honor recipient was congratulated by Selectman Kurland.

Mr. Cohen was congratulated for his efforts in obtaining approximately $33,000.00 in Worker's Compensation and Property insurance refunds

Selectman Hanson:
New office hours at the Java Room will be on Thursdays from 5-6 PM, for anyone wishing to discuss concerns.

Selectman Dahlberg:
No Referrals.

Chairman Dixon:
A presentation was given for retiring Fire Chief Jack Parow last Friday. Best Wishes were given to him and incoming Fire Chief Mike Curran.

Press Questions
No one came forward at this time.

Executive Session
Not needed this evening.

Motion: by Selectman Dahlberg to adjourn this meeting at 9:45PM. **Motion carries, unanimous.**

Regular Meeting Adjourned at 8:45PM
Next Regular Meeting: October 18, 2010, at 6:30PM at the Chelmsford Senior Center.

Respectfully Submitted,

Vivian W. Merrill,
Recording Secretary

List of Reference Documents:

-One Day License Application for Westford Chorus
-One Day License Application for Budget Buddies
-One Day License Application for the Chelmsford Halloween Ball Committee
-One Day License Application for Markus & Leslie
-2010 Master Plan Presentation
-Beer and Wine Restaurant Application for Dylan's Diner
-Release of Levy for Hi-way Market
-Open Space and Recreation Plan Update Presentation
-Fall Town Meeting Warrant Article Information
-State and Special Town Election Warrants
-Page 1 & 2 of the revision of Underground Utility document

CHELMSFORD BOARD OF SELECTMEN
POLICY SUB-COMMITTEE
MEETING AGENDA
October 12, 2010

Town Offices
50 Billerica Rd.

6:00 p.m. **Call To Order**

7:30 p.m. **Review of Definitions and information**

7:00 p.m. **To-do's for next meeting**

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
October 18, 2010

Town Offices
50 Billerica Rd.

6:30 p.m. Call to Order

Scheduled Business

Saint Mary Parish – One Day Beer & Wine License, October 23, 2010

Unscheduled Business

- Recommendations on Town Meeting Warrant Articles
- Approve changes to Underground Utility Legislation

Next Regular Meeting: October 25, 2010

***** This meeting is televised. *****

BOARD OF SELECTMEN
Town Offices
50 Billerica Road
Chelmsford, MA 01824-2777
(978) 250-5201 FAX: (978) 250-5252

George R. Dixon, Jr., Chairman
Eric R. Dahlberg, Vice Chairman

Matt Hanson, Clerk
Jon Kurland

October 7, 2010

St. Mary Parish
Attn: Paul Firicano
25 North Road
Chelmsford, MA 01824

Re: One-Day License

Dear Mr. Firicano:

Please be advised that this office is in receipt of your application for a *One Day Beer & Wine Beverages License* for October 23, 2010 at the St. Mary Parish Church Hall. The Board of Selectmen would like you to attend their October 18, 2010 meeting to discuss this application. This meeting will be held at the **Chelmsford Senior Center, 75 Groton Road**, at **6:30 p.m.**

Thank you.

Sincerely,

Marian Currier

Marian D. Currier
Senior Administrative Aide

TOWN OF CHELMSFORD
Special and One Day License – Application Form
(M.G.L. Ch. 138 S. 14)

✓ Application by a manager for one day special license for the sale of **BEER & WINE** to be drunk on the premises (for profit or non-profit).

____ Application by the manager of a organization for a one day special license for the sale of **ALL ALCOHOLIC BEVERAGES** to be drunk on the premises (non profit organizations only).

DATE OF EVENT BEING APPLIED FOR 10/23/10

1. Full name, address and phone number(s) of the organization making this application:
St. Mary Parish 25 North Road 978-256-2374

2. Full name, address and phone number(s) of manager who shall be responsible for the license:
Paul Firicano 3 Cartez St. 978-256-2374

3. Is the applicant requesting the license TIPS Certified? If Yes, please attach appropriate documentation.
YES____ NO ✓

4. Nature of event Social gathering Estimated number of attendees 150

5. Is the applicant a non-profit organization duly registered with the Secretary of State? If Yes, please attach appropriate documentation. YES ✓ NO____

6. Location where event shall be held: Church Hall - Capacity 400

7. Has the approval of the property owner been obtained? YES ✓ NO____

8. Exact times of the license: FROM 7 o'clock AM / (PM) TO 10 o'clock AM / (PM)

9. Has the applicant been issued similar licenses in Chelmsford in the past 12 months?
YES ✓ NO____ If so, when? May 8, 2010

10. Does the applicant have an application for license to sell alcoholic beverages pending before the licensing authority of the Town of Chelmsford? YES____ NO ✓ Not selling

11. Please attach a plan of the parking lot, showing the number of parking spaces available and adequate space for emergency vehicle access. Church parking lot

The applicant hereby states that the applicant has received a copy of the Licensing Authority's regulations pertaining to Special and One Day Liquor Licenses and is aware of and shall comply with all applicable statues, by-laws and regulations.

Authorized Representative and Title

Date 10/6/10

Paul Firicano, Business Manager

Paul F

You have successfully completed the ServSafe Alcohol® Responsible Alcohol Service Training and Certification Program. This is your official ServSafe Alcohol® Certification® Card and provides confirmation that you have studied, and are knowledgeable about, how to serve alcohol responsibly.

Thank you for participating in the ServSafe Alcohol program. Responsible alcohol service begins with the choices you make, and ServSafe Alcohol training will help you make the right decision when the moment arises.

By completing the ServSafe Alcohol program, you show your dedication to safe and responsible alcohol service. The ServSafe Alcohol program and the National Restaurant Association are dedicated to helping you continue to raise the bar on alcohol safety.

To learn more about our full suite of responsible alcohol service training products, contact your State Restaurant Association, your distributor or visit us at www.ServSafe.com.

We value your dedication to responsible alcohol service and applaud you for making the commitment to keep your operation, your customers and your community safe.

Sincerely,

David Gilbert
Chief Operating Officer, National Restaurant Association
Executive Director, National Restaurant Association Solutions

In Alaska you must laminate your card for it to be valid.

ServSafe

ID NO. 5279432
CARD NO. 6647781

ServSafe Alcohol® CERTIFICATE

Erin Edwards

Card expires three years from the date of the examination. Local laws apply.

DATE OF EXAMINATION
9/11/2009

NATIONAL RESTAURANT ASSOCIATION

Student Name	Erin Edwards
Class Number	518823
Exam Date	9/11/2009
Expiration Date	9/11/2012

Overall Point Score	48
Overall % Score	80
Passing % Score	75
Status	PASSED

NOTE: You can access your score and certification information anytime at www.ServSafe.com with the class number provided on this form.

Please make a copy of your ServSafe Alcohol Certificate Card for your records. Replacement copies can be obtained for a fee by completing the Certificate and Score Release Request Form available at www.ServSafe.com.

Please feel free to address any questions regarding your certification to the National Restaurant Association Exam Administration Department at certification@restaurant.org or 800.765.2122, ext. 8703.

NATIONAL RESTAURANT ASSOCIATION
175 West Jackson Boulevard, Suite 1500
Chicago, IL 60604-2814
1.800.SERV-SAFE
312.715.1010 in Chicagoland
www.ServSafe.com

MASSACHUSETTS DEPT. OF REVENUE
PO Box 7010
Chelsea, MA 02150-7010

NAVJEET K. BAL, COMMISSIONER
TERESA O'BRIEN-HORAN, DEPUTY COMMISSIONER

670C

ROMAN CATHOLIC ARCHBISHOP
ST. MARY'S PARISH
25 NORTH RD
CHELMSFORD MA 01824-2723

Notice	30048
Exemption Number	042 106 337
Date	12/01/08
Bureau	TSD MGT SERV
Phone	(617) 887-6367

Dear Taxpayer,

A review of our records indicates that the Massachusetts sales/use tax exemption for **ROMAN CATHOLIC ARCHBISHOP ST. MARY'S PARISH**, a tax-exempt 501(c) (3) organization, will expire on **01/04/09.**

The Department of Revenue is issuing this notice in lieu of a new Form St-2, "Certificate of Exemption". The notice verifies that the Massachusetts Department of Revenue has renewed the sales/use tax exemption for **ROMAN CATHOLIC ARCHBISHOP ST. MARY'S PARISH** subject to the conditions stated in Massachusetts General Laws, Chapter 64H, sections 6(d) or (e), as applicable.

The organization remains responsible for maintaining its exempt status and for reporting any loss or change of its status to the Department of Revenue. Absent the Department of Revenue's receipt of information from the taxpayer by the expiration date of the current certificate that the entity no longer holds exempt status under the above provisions, the taxpayer's certificate is renewed. ***This renewal will expire on 01/04/19.***

The taxpayer's existing Form ST-2, in combination with this renewal notice may be presented as evidence of the entity's continuing exempt status. Provided that this requirement is met, all purchases of tangible personal property by the taxpayer are exempt from sales/use taxation under Chapter 64H or I respectively, to the extent that such property is used in the conduct of the purchaser's business.

Any abuse or misuse of this notice by any tax-exempt organization or any unauthorized use by any individual constitutes a serious violation and will lead to revocation. **Willful misuse of this notice is subject to criminal sanctions of up to one year in prison and $10,000 in fines ($50,000 for corporations).**

This notice may be reproduced.

Sincerely,

Navjeet K. Bal
Commissioner of Revenue

Massachusetts Department of Revenue

Form ST-2
Certificate of Exemption

Certification is hereby made that the organization herein named is an exempt purchaser under General Laws, Chapter 64H, sections 6(d) and (e). All purchases of tangible personal property by this organization are exempt from taxation under said chapter to the extent that such property is used in the conduct of the business of the purchaser. Any abuse or misuse of this certificate by any tax-exempt organization or any unauthorized use of this certificate by any individual constitutes a serious violation and will lead to revocation. **Willful misuse of this Certificate of Exemption is subject to criminal sanctions of up to one year in prison and $10,000 ($50,000 for corporations) in fines.** (See reverse side.)

ST MARYS PARISH
ROMAN CATHOLIC ARCHBISHOP
25 NORTH RD
CHELMSFORD MA
01824

EXEMPTION NUMBER E
042-716-332

ISSUE DATE
01/04/04

CERTIFICATE EXPIRES ON
01/04/05

NOT ASSIGNABLE OR TRANSFERABLE

COMMISSIONER OF REVENUE
ALAN LEECVIDGE

Saint Mary Parish
25 NORTH ROAD • CHELMSFORD MA • 01824
PHONE: 978-256-2374 • FAX: 978-256-0122

FAX TRANSMISSION MEMO

TO: Marian Currier
Town Manager's Office

FROM: Paul Firicano
Business Manager
pfiricano@saint-mary.org

DATE: October 5, 2010

RE: Special One Day License Application form

Fax #: 978-250-5252

# of pages, including cover: 5

Any questions please give me a call. Thank you.

Saint Mary Parish
25 NORTH ROAD • CHELMSFORD MA • 01824
PHONE: 978-256-2374 • FAX: 978-256-0122

FAX TRANSMISSION MEMO

TO: Marian Currier
Town Manager's Office

FROM: Paul Firicano
Business Manager
pfiricano@saint-mary.org

DATE: October 5, 2010

RE: Special One Day License Application form

Fax #: 978-250-5252

# of pages, including cover: 5

Any questions please give me a call. Thank you.

TOWN OF CHELMSFORD
Special and One Day License – Application Form
(M.G.L. Ch. 138 S. 14)

✓ Application by a manager for one day special license for the sale of **BEER & WINE** to be drunk on the premises (for profit or non-profit).

____ Application by the manager of a organization for a one day special license for the sale of **ALL ALCOHOLIC BEVERAGES** to be drunk on the premises (non profit organizations only).

DATE OF EVENT BEING APPLIED FOR 10/23/10

1. Full name, address and phone number(s) of the organization making this application:
St. Mary Parish 25 North Road 978-256-2374

2. Full name, address and phone number(s) of manager who shall be responsible for the license:
Paul Firicano 3 Cortez St. 978-256-2374

3. Is the applicant requesting the license TIPS Certified? If Yes, please attach appropriate documentation.
YES____ NO ✓

4. Nature of event Social gathering Estimated number of attendees 150

5. Is the applicant a non-profit organization duly registered with the Secretary of State? If Yes, please attach appropriate documentation. YES ✓ NO____

6. Location where event shall be held: Church Hall - Capacity 400

7. Has the approval of the property owner been obtained? YES ✓ NO____

8. Exact times of the license: FROM 7 o'clock AM / (PM) TO 10 o'clock AM / (PM)

9. Has the applicant been issued similar licenses in Chelmsford in the past 12 months?
YES ✓ NO____ If so, when? May 8, 2010

10. Does the applicant have an application for license to sell alcoholic beverages pending before the licensing authority of the Town of Chelmsford? YES____ NO ✓ Not selling

11. Please attach a plan of the parking lot, showing the number of parking spaces available and adequate space for emergency vehicle access. Church parking lot

The applicant hereby states that the applicant has received a copy of the Licensing Authority's regulations pertaining to Special and One Day Liquor Licenses and is aware of and shall comply with all applicable statues, by-laws and regulations.

Authorized Representative and Title
Paul Firicano, Business Manager

Date
10/6/10

You have successfully completed the ServSafe Alcohol® Responsible Alcohol Service Training and Certification Program. This is your official ServSafe Alcohol® Certification Card and provides confirmation that you have studied, and are knowledgeable about, how to serve alcohol responsibly.

Thank you for participating in the ServSafe Alcohol program. Responsible alcohol service begins with the choices you make, and ServSafe Alcohol training will help you make the right decision when the moment arises.

By completing the ServSafe Alcohol program, you show your dedication to safe and responsible alcohol service. The ServSafe Alcohol program and the National Restaurant Association are dedicated to helping you continue to raise the bar on alcohol safety.

To learn more about our full suite of responsible alcohol service training products, contact your State Restaurant Association, your distributor or visit us at www.ServSafe.com.

We value your dedication to responsible alcohol service and applaud you for making the commitment to keep your operation, your customers and your community safe.

Sincerely,

David Gilbert
Chief Operating Officer, National Restaurant Association
Executive Director, National Restaurant Association Solutions

In Alaska you must laminate your card for it to be valid.

ServSafe

ID NO. 5279432
CARD NO. 6647781

ServSafe Alcohol® CERTIFICATE

Erin Edwards

Card expires three years from the date of the examination. Local laws apply.

DATE OF EXAMINATION
9/11/2009

NATIONAL RESTAURANT ASSOCIATION

Student Name	Erin Edwards
Class Number	518823
Exam Date	9/11/2009
Expiration Date	9/11/2012

Overall Point Score	48
Overall % Score	80
Passing % Score	75
Status	PASSED

NOTE: You can access your score and certification information anytime at www.ServSafe.com with the class number provided on this form.

Please make a copy of your ServSafe Alcohol Certificate Card for your records. Replacement copies can be obtained for a fee by completing the Certificate and Score Release Request Form available at www.ServSafe.com.

Please feel free to address any questions regarding your certification to the National Restaurant Association Exam Administration Department at certification@restaurant.org or 800.765.2122, ext. 6703.

NATIONAL RESTAURANT ASSOCIATION

175 West Jackson Boulevard, Suite 1500
Chicago, IL 60604-2814
1.800.SERV-SAFE
312.715.1010 in Chicagoland
www.ServSafe.com

MASSACHUSETTS DEPT. OF REVENUE
PO Box 7010
Chelsea, MA 02150-7010

NAVJEET K. BAL, COMMISSIONER
TERESA O'BRIEN-HORAN, DEPUTY COMMISSIONER

870C

ROMAN CATHOLIC ARCHBISHOP
ST. MARY'S PARISH
25 NORTH RD
CHELMSFORD MA 01824-2723

Notice	30048
Exemption Number	042 106 337
Date	12/01/08
Bureau	TSD MGT SERV
Phone	(617) 887-6367

Dear Taxpayer,

A review of our records indicates that the Massachusetts sales/use tax exemption for **ROMAN CATHOLIC ARCHBISHOP ST. MARY'S PARISH**, a tax-exempt 501(c) (3) organization, will expire on **01/04/09.**

The Department of Revenue is issuing this notice in lieu of a new Form St-2, "Certificate of Exemption". The notice verifies that the Massachusetts Department of Revenue has renewed the sales/use tax exemption for **ROMAN CATHOLIC ARCHBISHOP ST. MARY'S PARISH** subject to the conditions stated in Massachusetts General Laws, Chapter 64H, sections 6(d) or (e), as applicable.

The organization remains responsible for maintaining its exempt status and for reporting any loss or change of its status to the Department of Revenue. Absent the Department of Revenue's receipt of information from the taxpayer by the expiration date of the current certificate that the entity no longer holds exempt status under the above provisions, the taxpayer's certificate is renewed. ***This renewal will expire on 01/04/19.***

The taxpayer's existing Form ST-2, in combination with this renewal notice may be presented as evidence of the entity's continuing exempt status. Provided that this requirement is met, all purchases of tangible personal property by the taxpayer are exempt from sales/use taxation under Chapter 64H or I respectively, to the extent that such property is used in the conduct of the purchaser's business.

Any abuse or misuse of this notice by any tax-exempt organization or any unauthorized use by any individual constitutes a serious violation and will lead to revocation. **Willful misuse of this notice is subject to criminal sanctions of up to one year in prison and $10,000 in fines ($50,000 for corporations).**

This notice may be reproduced.

Sincerely,

Navjeet K. Bal
Commissioner of Revenue

Massachusetts Department of Revenue

Form ST-2
Certificate of Exemption

Certification is hereby made that the organization herein named is an exempt purchaser under General Laws, Chapter 64H, sections 6(d) and (e). All purchases of tangible personal property by this organization are exempt from taxation under said chapter to the extent that such property is used in the conduct of the business of the purchaser. Any abuse or misuse of this certificate by any tax-exempt organization or any unauthorized use of this certificate by any individual constitutes a serious violation and will lead to revocation. **Willful misuse of this Certificate of Exemption is subject to criminal sanctions of up to one year in prison and $10,000 ($50,000 for corporations) in fines.** (See reverse side.)

ST MARYS PARISH
ROMAN CATHOLIC ARCHBISHOP
25 NORTH RD
CHELMSFORD MA
01824

EXEMPTION NUMBER E
042-116-337

ISSUE DATE
01/04/04

CERTIFICATE EXPIRES ON
01/04/05

NOT ASSIGNABLE OR TRANSFERABLE

COMMISSIONER OF REVENUE
ALAN LEBOVIDGE

H. 4408

Revised by Patricia A. Cantor, Town Counsel, October 8, 2010

AN ACT TO AUTHORIZE THE TOWN OF CHELMSFORD TO REGULATE THE REMOVAL OF ABOVEGROUND UTILITY POLES AND OVERHEAD WIRES AND OTHER ASSOCIATED STRUCTURES AND TO REGULATE THE INSTALLATION OF UNDERGROUND WIRES AND ASSOCIATED STRUCTURES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general law, special law, by-law or regulation to the contrary, the town of Chelmsford is hereby authorized to take the following action regarding the removal of aboveground utility poles, overhead wires and other associated structures and to regulate the installation of underground wires and associated structures.

A utility subject to the provisions of this act shall file with the board of selectmen of the town of Chelmsford a plan for the required removal of aboveground poles, overhead wires and associated overhead structures under the town's bylaws and for any related installation of underground wires and associated structures. The utility shall file its plan within 90 days after the passage of this act, which plan shall be subject to review and approval by the board of selectmen. After approval to adopt such plan, hereinafter referred to as "the Plan", the board of selectmen may implement the Plan in phases, as may be determined from time-to-time by the board of selectmen. In determining if the Plan shall be implemented in phases, the board of selectmen shall consider the following factors, among other relevant factors: the total cost of completing the work under the Plan; the amount of funds collected by the utility from its customers in the town of Chelmsford in relation to the total cost of completing the work under the Plan; and the progress the utility is making towards completing the work under the Plan. Any phasing of implementing the Plan shall not constitute an amendment of the Plan. In determining whether to implement the Plan in phases, the board of selectmen shall consult with the utility; notwithstanding, the decision regarding phasing shall be in the sole discretion of the board of selectmen.

A utility shall be subject to the provisions of this act, if the utility is required to remove poles, overhead wires or associated overhead structures that it owns or operates in the town of Chelmsford, under section 119-3 of chapter 119 of the bylaws adopted at the Annual Town Meetings held on April 26, 1999 and October 20, 2008, of said town. The board of selectmen may extend the time of any required filing by a utility under this section and may review and approve any modification of the Plan filed by a utility at any time.

The utility may charge its customers in the town of Chelmsford a surcharge as provided

for in chapter 166 of section 22M of the General Laws, or successor statute, to pay for the work provided for in the Plan hereinafter referred to as "the Surcharge". Commencing with the calendar year beginning January 1, 2011, the utility shall calculate interest on the difference between the funds charged to customers in the town of Chelmsford through the Surcharge and the payments of the utility in accordance with the Plan at a rate equivalent to the rate paid on two-year, United States Treasury notes, for the preceding twelve (12) months ending December 31 of any year, said interest shall be compounded annually on December 31, or higher interest rate as may be agreed upon by Chelmsford and the utility The interest accrued by the utility shall be applied to the financing of the Plan.

Commencing with the calendar year 2011, on or before March 31 of each year, the utility shall prepare a detailed report to the Chelmsford board of selectmen regarding the actions taken to implement the Plan. The report shall include, but not be limited to the following information: the number of customers in the town of Chelmsford from whom the Surcharge was billed, including those electric distribution customers billed by competitive suppliers for the preceding calendar year; the amount of the Surcharge billed to the customers in the town of Chelmsford; the accrued interest earned as defined in the preceding paragraph; and the balance of funds in excess of or less than payments associated with the Plan as of December 31 of the preceding calendar year. The report shall also contain aggregated information on expenses for the following items: engineering and design, materials and construction, land acquisitions, taxes and public safety.

The board of selectmen may temporarily or permanently suspend the collection of the Surcharge from the utility's customers in the town of Chelmsford upon the following: (a) the board of selectmen gives notice of and holds a public hearing regarding consideration of such suspension; (b) the notice of the public hearing is published in a newspaper of general circulation in the town and posted on a town bulletin board and on the town's website at least 14 days before the date of the hearing; (c) the notice of public hearing is sent by certified mail, return receipt requested, at least 14 days before the date of the hearing to the utility for which the suspension is being considered; and (d) after said hearing, the board of selectmen finds: (i) the utility has collected sufficient funds through the Surcharge from the customers in the town of Chelmsford to carry out the Plan, or (ii) the utility has collected sufficient funds from its customers in the town of Chelmsford through the Surcharge to fund a phase of the Plan.

SECTION 2. This act shall take effect upon its passage.

409670/0.v3/5600/0122

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
October 21, 2010

Town Offices
50 Billerica Rd.

6:30 p.m. Call to Order

Scheduled Business

- Approve License Agreement, 7-9 Washington Street

Adjourn to Executive Session for the purpose of hearing a litigation update from Town Counsel.

Next Regular Meeting: October 25, 2010

Cancelled

***** This meeting is not televised. *****

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
October 25, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order

Public Service Announcements
- Live Smart Week – November 1st – 7th
- Chelmsford Dog Association – Volunteer Appreciation

Open Session

Committee Vacancies

Scheduled Business

Salim Talbit – Argument on support of Ballot Question # 3 from "Roll Back Taxes" group
Toby McGrath – Argument against Ballot Question # 3 from "Vote No on Question 3" group
Peggy Dunn for the Committee to elect K.C. Winslow - One Day Beer & Wine License, CCA, 10/28

7:30 p.m. Public Hearing: Sale of Alcoholic Beverages on-premises on Sundays starting at 10:00 a.m.

7:30 p.m. Public Hearing: RSRS Foods, LLC dba Madras Grill, 7 Summer Street – Change of License from Beer & Wine to All Alcohol License

Highway Farm Market – Change of Tenancy

SB & EE Auto Sales, Inc. – Class II Auto Dealers License

8:00 p.m. Dog Hearing – 116 Westford Street, Barking dog complaint

Town Manager Reports
- Energy Star Certification – McCarthy Middle School
- Recall Petition for Planning Board Members

Town Manager Appointments
- Town Halls Advisory Committee – Dacey Zouzas
- Permanent Building Committee – Pat Maloney

BOS Meeting Minutes
- Regular Meeting Minutes – September 27, 2010
- Regular Meeting Minutes – October 4, 2010

***** This meeting is televised. *****

Unscheduled Business

- License Agreement – 7-9 Washington Street
- Vote to accept Deed in Lieu of Foreclosure
- Board positions on ballot questions

Selectman Referrals

Press Questions

Executive Session

- Strategies with respect to litigation regarding Locke Rd. case.

Next Regular Meeting: November 8, 2010

Approved 11/22/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
October 25, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded.

Chairman Dixon called the meeting to order at 7:00PM.

Public Service Announcement
Live Smart Week, November 1-7, 2010
Karen DiDonato, 4 Archambeault Way, announced this event, and explained the various programs occurring at the Middle schools and the High School. The proclamation was read by Selectman Dahlberg, and accepted by Mrs. DiDonato.

Chelmsford Dog Association-Volunteer Appreciation
Vivian Merrill, 23 Maple Rd. presented Certificates of Appreciation to the judges of their Howl'ween Dog Costume Contest. The event was very well attended, and the Association was able to raise $700.00 towards a new Dog Park for Chelmsford.

Open Session
Mike Coombs, Precinct 6 Town Meeting Representative, asked the Board to consider making their positions known in regard to the three ballot initiatives. Mr. Coombs suggested a "no" vote for Sales Tax on alcohol, he urged support of repealing the 40B law, and he did not support reducing the sales tax to 3%.

Robert DiNapoli, Wellesley, Ma asked the board not to grant any changes to the license for Hi-Way Market, as he granted a loan to the owner for inventory, and the owner has defaulted on the loan. Chairman Dixon explained this request was outside of the Board's jurisdiction, however, if any change was requested, the applicant would have to appear before the Board for an advertised Public Hearing.

Committee Vacancies
Mr. Cohen read through the list of current vacancies, and encouraged interested applicants to apply through the Town Manager's office or via the Town's website.

Scheduled Business

Salim Talbit-Argument in support of Ballot Question #3 from "Roll Back Taxes" group
Mr. Talbit referenced a report that indicated a reduction in sales tax would create 17000 jobs to offset the 22,000 jobs that have been lost, and would put $660.00 more income in people's pockets annually. A higher tax is anti-consumer.

Toby McGrath-Argument against Ballot Question #3 from 'Vote No on Question 3" group
Mr. McGrath felt lowering the sales tax rate would make things harder, as it wouldn't close the state's budget gap, and would not create jobs but would create more layoffs. Massachusetts is the leading state in job creation at this time, and has created many jobs already.

Peggy Dunn for the Committee to Elect K.C. Winslow-2010-One Day Beer and Wine License, CCA, October 28, 2010
Mrs. Dunn, 2 Bridge St., was present for questions. This event is a "Meet the Candidate" night at the Chelmsford Center for the Arts.

Motion: by Selectman Dahlberg to approve a One Day Beer and Wine License to the Committee to Elect K.C.Winslow, to be exercised on the premises at the Chelmsford Center of the Arts on October 28, 2010, from 6:00PM-8:00PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Public Hearing: Sale of Alcoholic Beverages on Premises on Sundays starting at 10AM
Mr. Cohen explained this hearing is the next step of the process to allow the sale of alcoholic beverages to begin at 10AM on Sundays, as approved at this past fall town Meeting. No questions from the Board. No comments from the audience.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to allow alcoholic beverage sales to all Section 12 licensees as presented and approved at the 2010 Fall Town Meeting. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Public Hearing: RSRS Foods, LLC dba Madras Grill, 7 Summer St.-Change of License from Beer and Wine to All-Alcohol Licensed
Atty. Douglas Hausler spoke on behalf of the applicant, who is requesting a full alcohol license. A complete application has been submitted. The LLC has added an additional member; the floor plan has been updated, and remains at 96 seats. No further questions from the Board, no comments from the audience.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve an upgrade of license, from Beer and Wine to All-alcohol, and a change of d/b/a from Tulsi Fine Indian Cuisine to Madras Grill to include a new stockholder for RSRS Foods, to be exercised on the premises at 7 summer St. Units 31 and 32. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Hi-Way Farm Market-Change of Tenancy
Dino Vrouhas was present, and was not aware of Mr. DiNapoli's prior appearance. Mr. Vrouhas advised he would contact Mr. DiNapoli. Mr. Vrouhas intends to open his store on November 1, 2010. The terms of the lease have been finalized.

SB & EE Auto Sales, Inc.-Class Two Auto Dealers License
Atty. Peter Nicosia spoke on behalf of Scott Barlow and Ehab Elissy, who were both present for questions. This location was previously a used car dealership, and the applicants would like to reopen it for the same number of vehicles for sale, and repairs, with no storage of hazardous materials, and no change in structure. Mr. Barlow's previous experience was at a location in Lowell. The Lease agreement

states 25 cars; negotiations are pending for 41 cars. No further questions from the Board, no comments from the audience. The applicant is aware of wetlands considerations regarding where vehicles are parked.

Motion: by Selectman Dahlberg to approve a Class II Auto Dealers License to SB & EE Auto sales, to be exercised on the premises at 65 Tyngsboro Rd., with 41 cars for sale. Entire front portion of lot must be utilized. All parking must be on paved areas. Customer parking must be provided. Signs must comply with the by-law. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Open Session

No one came forward at this time.

Town Manager Reports

Energy Star Certification-McCarthy Middle School

Mr. Cohen announced that 6 communities were recognized for this program. A proclamation was received for an $187,224.00 award for a solar voltaic system for Parker Middle School, solar trash compactors and signs. Certification was also received for McCarthy Middle School. This is the fourth Town building to be certified. Byam Elementary School, The Town Offices and Chelmsford High School were previously certified.

Recall Petition for Planning Board Members

This petition was received by the town Clerk last Wednesday for the recall of 3 Planning board members. This is the first recall initiative to be received since the bylaw was written. Ms. McGuigan has less than 6 months left of her term, so she cannot be recalled. Signatures were certified for the recall of George Zaharoolis and Susan Carter. Mr. Cohen noted some shortfalls of the bylaw, and described the process used to create the needed petitions. The Town Clerk has sent a letter indicating the petitions are due by November 3, 2010. Mr. Van Liew has indicated he intends to sue the town, and sent a letter to William Galvin. Town Counsel has been provided with copies of all letters. Mr. Cohen assured the Board that the Town is doing things as expeditiously as possible during an election season, and the Town Clerks are acting in good faith and with due diligence.

Ms. Carter came forward to thank the Town for its support, and asked residents not to sign the petition, as the recall is based on one decision that Mr. Van Liew doesn't agree with. If the petition is successful, future Board members will be reluctant to make difficult, unpopular tough decisions.

Mr. Zaharoolis stated the Planning board did nothing wrong, but were following the bylaws.

Richard McClure came forward to state he disagreed with Mr. Cohen's and Selectman Kurland's statements in the *Lowell Sun* newspaper. The number of signatures gathered and the attendance at the meeting which was held at the Senior Center indicates that residents agree this is a serious matter.

Jon Kurland, 17 Mansfield Dr., came forward as a private citizen to reiterate that the recall law was intended to remove officials that have broken the law. Mr. Kurland acknowledged that he was opposed to the Epsilon project at 9 North Rd, but he is also opposed to the recall effort, as neither Ms. Carter not Mr. Zaharoolis had done anything improper. If something was wrong, the case would have been overturned by the land court. Ms. Carter was re-elected to the Planning board after this decision was made. Mr. Kurland compared this decision to a similar unpopular decision made in regard to an Adult Entertainment Zoning Issue. If this recall effort is successful, it will affect the spirit of volunteerism in Town, and will cost residents $18,000-20,000 to hold a special election. Mr. Kurland agreed that Mr. Van Liew has the right to request the recall, but in this instance, it is not appropriate.

Dog Hearing-116 Westford St., Barking Dog Complaint
ACO Erik Merrill and Susan and Robert Knight were sworn in by Mr. Cohen. A package was provided for the board's review to include e-mails and police reports regarding the dog in question. Officer Merrill read MGL Chapter 140 into the record. The most recent incident occurred on September 30, 2010, at 9:45AM. There have been no complaints since the latest citation and summons were issued. Offr. Merrill agreed this beagle is a great dog, but has an annoying bark. Mr. Knight acknowledged the dog does bark when he is outside during the day, and he has put the dog in a different area for the past two weeks. Mr. Knight apologized that his dog is bothering someone, and that he is open to suggestions as he doesn't want to lose his dog. Mrs. Knight believed the neighbor in question is targeting them, and she did not believe her dog could bark for 30 minutes at a time. Offr. Merrill explained that he and other officers have witnessed barking for 30 minutes and longer. The Knights agreed that they would continue to work with a barking collar, although sometimes it does not work. They have already tried a different collar that squirts an odor, but the dog got used to the odor and still barked. Mr. Cohen advised that his office attempted to arrange an informal meeting, but Mrs. Knight was abusive to his staff. Mrs. Knight felt she shouldn't have to pay for each report filed against her, and felt she had a right to know who the complainant was. Offr. Merrill advised that every accident report is paid for, this is not different. Not all incidents were cited. Chairman Dixon agreed to continue this matter until November 22, 2010, and the Knights will be notified if they need to appear by November 18, 2010. Mr. Knight requested more information on what the proper procedure is for someone in his position.

Motion: by Selectman Dahlberg to continue the hearing until November 22, 2010, if necessary. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Appointments
Town Halls Advisory Committee-Dacey Zouzas

Motion: by Selectman Dahlberg to approve the Town Manager's appointment of Dacey Zouzas to the Town Halls Advisory Committee for term to expire June 30, 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Permanent Building Committee-Pat Maloney

Motion: by Selectman Dahlberg to approve the Town Manager's appointment of Pat Maloney to the Permanent Building Committee for a term to expire June 30, 2012. Seconded by Selectman Hanson. **Motion carries, unanimous.**

BOS Meeting Minutes
Regular Meeting Minutes-September 27, 2010

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of September 27, 2010 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Regular Meeting Minutes-October 4, 2010

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of October 4, 2010 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Unscheduled Business

License Agreement- 7-9 Washington St.
Laura and Julie Lee have entered into a license with the Town to allow their fence which abuts the North Town Hall to be moved eight feet until the renovation project for the building is complete.

Motion: by Selectman Dahlberg to approve and accept the License Agreement between the Town of Chelmsford and Laura A. Lee and Julie K. Lee as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Vote to accept Deed in Lieu of Foreclosure

Motion: by Selectman Dahlberg to accept the Deed in Lieu of Foreclosure for the described parcel on Parkhurst Rd. as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Board Positions on Ballot Questions
A summary of Ballot Question 1exempting alcohol from sales tax was read. Selectman Kurland and Selectman Hanson indicated they were opposed to this question. They agreed they would like to see the legislature do something, but the funding raising from this tax was needed. Selectman Dahlberg supports the question, based on the competitive disadvantage the tax gives to liquor store owners on border towns. Chairman Dixon advised that some concession should be given to bordering towns, however he will vote against this question.

A summary of Ballot Question 2 eliminating affordable housing under Chapter 40B was read. Selectman Kurland would vote to repeal the 40B legislation as a way to give communities control over what happens in their towns. Other means exist to provide affordable housing which should be used. Selectman Hanson agreed that amendments to this legislation never get passed, and repeal would "get the ball rolling". Selectman Dahlberg used the Aspen Apartments proposal as an example of how the current legislation "ruins neighborhoods", and why this law should be repealed. Chairman Dixon also agreed the law should be repealed, as he'd like to see more locally controlled projects.

A summary of Ballot Question 3 to reduce the Sales tax from 6.25% to 3% was read. Selectman Kurland and Chairman Dixon explained they are opposed to this as towns cannot afford more cuts to local aid. Selectman Hanson and Selectman Dahlberg are opposed to this question as there are no plans for how the state would replace the funding that would be lost.

Selectmen Referrals

Selectman Kurland:
Office hours will be held at 9AM at the Java Room on Thursday, November 6, 2010.

Residents were reminded of the Scarecrow Festival being held at Sunny Meadow Farm on October 30, 2010, the Pumpkin Armada starting at 5PM on Heart Pond, and the Hallows Eve on Shutter Island Costume Party at 7PM at the Chelmsford Center for the Arts on the same day.

Residents were encouraged to go out and vote on November 2, 2010.

Selectman Hanson:
Office hours at the Java Room will be on Thursday, November 6, 2010 from 5-6 PM, for anyone wishing to discuss concerns.

Residents were asked to vote on November 2, 2010.

Selectman Dahlberg:
The Economic Development Commission had a speaker discussing what businesses look for, and suggested that the Board and Town Manager do site visits to reach out to businesses. Selectman Dahlberg offered to get an initiative like this started.

Chairman Dixon:
No referrals.

Press Questions
No one came forward at this time.

Executive Session

Motion: by Selectman Dahlberg to enter into Executive Session to discuss strategies with Respect to Litigation regarding Locke Development case, not to return to regular session. Seconded by Selectman Hanson. Roll Call Vote:

Selectman Kurland: Aye
Selectman Hanson: Aye
Selectman Dahlberg: Aye
Chairman Dixon: Aye.

Regular Meeting adjourned at 8:57PM.

Next Regular Meeting: November 8, 2010.

Respectfully Submitted,

Vivian W. Merrill,
Recording Secretary

List of Reference Documents:

-Live Smart Week announcement and Drug Awareness Presentation Flyer
-Information relating to Ballot Initiative #3
-One Day License Application for the Committee to Elect K.C. Winslow
-Supporting documents for RSRS Foods dba Madras Grill
-Supporting documents for Hi-Way Farm Market
-Class II Dealers Application for SB & EE Auto Sales
-Supporting documents for Dog Hearing for 116 Westford St.
-Supporting documents for the Recall Petition
-Energy Star Certification document
-Regular Meeting Minutes of September 27, 2010 and October 4, 2010
-License Agreement for 7-9 Washington St.
-Deed in Lieu of Foreclosure for Parkhurst Rd.
-Supporting Information for Ballot initiatives.

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

✓ approved 10/18

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday October 4, 2018 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Dillon Rd.

Street Address

Town Clerk's Signature Elizabeth Delaney

Clerk/Bd. Member & Date 9/28/18

RECEIVED

10 SEP 28 PM 12: 06

TOWN OF WELLESLEY
ELIZABETH L. DELANEY
TOWN CLERK

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

found w/ Master Planning 10/18

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, October 4, 2010 **Time:** 7:00 pm

Location: Town Office Room Number: 2011

Name of Building

50 Billerica Rd.

Street Address

Elizabeth A. Delaney T. Lynn 9/28/10

Town Clerk's Signature Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen Talley Subcommittee

Date of Meeting: Tuesday, October 12, 2010 **Time:** 6:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd

Street Address

Elizabeth H. Delaney

Town Clerk's Signature

T. Lynch

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Work Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, October 18, 2010 **Time:** 6:30 pm

Location: Senior Center Room Number: hall

Name of Building

75 Carlton Rd.

Street Address

Elizabeth H. Delaney T. Dunn 9/28/10

Town Clerk's Signature Clerk/Bd. Member & Date

RECEIVED

10 SEP 28 PM 12:06

ELIZABETH L. DELANEY
TOWN CLERK

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~ Cancelled

Name Of Department or Board: Board of Selectmen

Date of Meeting: Thursday, October 21, 2010 **Time:** 6:30

Location: Senior Center Room Number: hall

Name of Building

75 Clinton Rd

Street Address

Elizabeth H. Delaney

Town Clerk's Signature

Clerk/Bd. Member & Date 9/25/10

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, October 25 2010 **Time:** 7:00 pm

Location: Town Offices **Room Number:** 204

Name of Building

50 Billerica Rd

Street Address

Elizabeth A. Delaney

Town Clerk's Signature

J. Young 10/4/10

Clerk/Bd. Member & Date

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
November 8, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order – Notification of live cablecast

Welcome to Selectman Pat Wojtas

Public Service Announcements
- Veteran's Day Proclamation

Open Session

Committee Vacancies

Scheduled Business

Barry Balan – Sewer Construction Update, request for Special Town Meeting

Pony Club - One Day All Alcohol License, November 20, All Saints

Center Brickhouse Pizza – Temporary increase in seating capacity, Thanksgiving Hours

Triangle Service Center – Change of Manager

7:30 p.m. Powers & Sullivan FY 2010 Audit Report

John Sousa & Darlene Lussier – FY 2011 Budget Update

7:45 p.m. Pole Petition – Parkhurst Road

Town Manager Reports
- Glenview Sand & Gravel Landfill Liner
- Crooked Spring Dam Repair
- Liquor License at Highway Farm Market
- Varney Playground Storage Shed

Town Manager Bid Award
- LSP Services for Katrina Road Brownfields Project

Town Manager Appointments
- Master Plan Implementation Committee
- Cultural Council

Meeting Minutes
- Executive Session Minutes – September 27, 2010
- Executive Session Minutes – October 4, 2010
- Regular Meeting Minutes – October 18, 2010

*** This meeting is televised. ***

Unscheduled Business

- BOS designee to Master Plan Implementation Committee

Selectman Referrals

Press Questions

Executive Session

Next Regular Meeting: November 22, 2010

Approved 12/6/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
November 8, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk
Patricia Wojtas, Selectman

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded.

Chairman Dixon called the meeting to order at 7:01PM.
Selectman Wojtas was welcomed by the Board.

Public Service Announcement
Veteran's Day Proclamation
The Proclamation was read by Selectman Dahlberg, and accepted by Regina Jackson. Ms. Jackson encouraged all residents to attend the annual Veteran's Service being held on Thursday, November 11, 2010, at 11AM at the Veteran's Memorial Park.

Open Session
No one came forward at this time.

Scheduled Business

Pony Club-One Day All Alcohol License, November 20, 2010, All Saints Church
Elizabeth Platt was present on behalf of the Club. Application is complete, and TIPS certification is on file. No further questions from the Board.

Motion: by Selectman Dahlberg to approve a One Day All Alcoholic Beverages License to the Central New England Region Pony Club for November 20, 2010 for the hours of 7:00PM to 11:30PM to be exercised at the premises of All Saints Episcopal Church, 10 Billerica Rd., Chelmsford. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Triangle Service Center-Change of Manager
David McAllister was present from Triangle Service Center to request a change of Manager from Peter McAllister to himself. A copy of the Mass. DOT requirements were provided to the Board.

Motion: by Selectman Dahlberg to approve a Change of Manager for Triangle Service Center from Peter McAllister to David McAllister on their Class II Auto Dealers' License. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Barry Balan-Sewer Construction Update, Request for Special Town Meeting
Mr. Balan provided a summary of total project costs and remaining costs to be expended. Steve Peterson of Weston and Sampson explained that the remaining work involves finish work to seven pump stations, final paving, providing grinder pumps for residents that will need them, project close-out work and providing a release of Contractor's Retainage. Sixteen million in funding was previously authorized, the commission is requesting an additional two million to cover additional work required because of utilities not being where they were indicated, finding more ledge than anticipated, additional paving requirements and additional police details because construction took longer than anticipated. Also, there were increased legal fees caused by large developers disputing their tie-in fees. Stimulus funding provided a principal forgiveness in the amount of $1.6 million; however, the cost of complying with regulations to get the funding was higher than estimated. The Commission is requesting a Special Town Meeting be held to seek authorization to borrow the additional funds to complete the project, which will add two years to the payback period of the debt already being carried. The project should be completed in 6 months, at which time the Sewer commission will be disbanded.

Motion: by Selectman Dahlberg to approve the Warrant for a Special Town Meeting to be held on November 29, 2010, at 7:30PM at the Chelmsford Senior Center, 40 Groton Rd. Chelmsford. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Center Brickhouse Pizza-Temporary increase in Seating Capacity, Thanksgiving hours
Atty. Angelique Eliopoulos spoke on behalf of Center Brickhouse Pizza to request extended hours for November 24 and 26, 2010. The applicant also requests permission to put up a tent which will be the same size as last year. The fire Department has provided a list of conditions that the applicant will comply with. A letter from the tent company and a Certificate of Insurance was provided to the Board. There will be one entrance for the tent, and the separate entrance for the restaurant. Patrons will not be able to go directly from the restaurant to the tent; they will need to use the separate entrance. There will be 6 staff on duty, as well as 2 police officers and 2 firemen. There will not be any heat in the tent. There will be music, but no live bands. Additional parking will be provided by using the spaces across the street, at the Old Town Hall, and at Sovereign Bank. They are requested additional capacity of 150 people for the tent, and an extension of hours to 2AM. Selectman Kurland reviewed last year's report which indicated additional capacity of 70 people for this size tent. Atty. Eliopoulos explained the capacity was always for 150 people, however, the applicant chose to request 70 last year, and is requesting the full 150 for this year, as the event was very popular. The staff will be required to count how many people are present, as per a state requirement. Police and Fire details will occur from 7PM to 2AM. Signs will be posted to enforce the new fire lanes. No noise complaints were received last year. No comments were received from the audience, no further questions from the Board.

Motion: by Selectman Dahlberg to approve an increase in capacity, from 74 to 224, and an increase in hours from 1:00AM closing to a 2:00AM closing, at Center Brickhouse Pizza for November 24 and 26, 2010 with the following conditions:

-Obtain permits from the Building Department and Fire Department. Building permit will require site plan, seating plan or interior layout of tent including means of egress openings and flame spread certificate on tent.

-Tent shall be erected and ready for inspection no later than 11:30AM on November 23, 2010.

-Tent must comply with Mass. State Building codes, Board of Fire Prevention Regulations and MGL 148 Fire Prevention.

-Sixty parking spaces must be available for 150 people.

-A thirty foot separation from building and tent is required unless tent is constructed with greater than one-hour rated material.

-There must be two lighted exit signs for egress openings.

-The applicant must obtain electrical permit for temporary signs.

-Two Police officers shall be on duty from 7PM to 2AM.
-Two Fire fighters shall be on duty from 7PM to 2AM.
-The applicant must provide the board of Health with evidence that the grease tank has been pumped within one month before November 24, 2010.

Motion was seconded by Selectman Hanson. **Motion carries, unanimous.**

Committee Vacancies
Mr. Cohen read through the list of current vacancies, and encouraged interested applicants to apply through the Town Manager's office or via the Town's website.

Public Hearing-Pole Petition-Parkhurst Rd.
Joseph Gleason, 29 Diana Lane, Dracut, spoke on behalf of Verizon. The request is being made in the area of the road widening project on Parkhurst Rd. Three poles will have a lateral move of more than three feet. Pole 26 will be moved 20 feet north, pole 24 will be moved 12 feet south, and pole 21 will be moved 5 feet north. The stub pole request is to help maintain the integrity of the pole line, to include a guide wire from pole 21S to pole 21. No comments from the audience, no further questions from the Board.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the Verizon New England and Massachusetts Electric Co. North Andover Pole Petition Plan 47 dated September 27, 2010 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Powers and Sullivan FY 2010 Audit Report
Richard Sullivan spoke to review the results of the town's FY2010 Annual Financial Audit. Mr. Sullivan felt appropriate controls are in place and are working. He recommended no changes to the General Ledger, and he found the entire department very cooperative. He was very pleased with the increase in the stabilization fund, and would like to see this trend continue to make it higher. One finding relating to paperwork will be fixed. This year's Management Letter has 10 comments, which is down from last year's 14. Overall, he found no major concerns. Mr. Sullivan suggested having a policy in place in the event of an absence for time sensitive events to address weekly, monthly and annual events. Mr. Sullivan concluded that the town is in better financial condition than some of his other clients.

FY 2011 Budget Update
Darlene Lussier explained the differences between some of the line items in the Annual Audit versus the Department of Revenue forms. Two deficit items to date include police details and the COA lunch program, due to a lag between when the expenditures occur and when they are reimbursed. Mr. Cohen noted additional free cash would become available if the Sewer Project is completed on time. Reimbursed funds go back into the General Fund. First quarter revenues collected are at 24.4%, which is under the 25% mark expected. Selectman Kurland noted that meals and hotel tax revenues are higher than were anticipated, but that the motor vehicle excise tax revenues seemed low. Ms. Lussier explained most of the tax bills do not go out until January and February.

John Sousa explained annual expenditures to date should be about 23% expended, but payments are not uniform due to affects by seasonal and contractual payment obligations and the timing of retirements. Mr. Sousa saw no concerns to date, and he commended Ms. Lussier's staff for their assistance.

Motion: by Selectman Dahlberg to formally accept the FY2010 Audit Report. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Reports

Mr. Cohen reminded the Board that the annual Tax Classification Hearing will begin at the next Board meeting. The State budgeting process schedule was also provided. Reflections will present a status update regarding the alteration of their premises at the next meeting. The Board was reminded that license renewals will be heard at the December meetings.

Glenview Sand and Gravel Landfill Liner

Mr. Cohen explained that this location was used to hold materials taken from the Big Dig, and the owner had promised to cap the landfill, but never did due to bankruptcy. Todd Melanson has been monitoring the site, and recently found evidence of a fire, and that the tarp covering the landfill has been compromised. DEP, the Board of Health, and the conservation Commission have been notified of the situation, and there will be a joint meeting of the Chelmsford water District and the Fire Department. A meeting with the property owner was held on November 4, 2010, as the problem needs to be addressed within the next few weeks.

Crooked Spring Dam Repair

Rainy weather has prevented the DPW from starting the work today at this site. The work will be completed as soon as possible, within a few days.

Liquor License at Hi-Way Farm Market

The police have been driving by the site daily. The owner hopes to be open for business by November 10, 2010, or he will be asked to appear at the meeting of November 22, 2010.

Varney Playground Storage Shed

Matt Sheehan has reported that all materials have been gathered for the construction of a new shed at Varney Park, which will be assembled by students from Nashoba Technical High School.

Other reports:

Discussion was had with the Recycling committee to hold a free shredding event for residents' documents in April, 2011. More information will be forthcoming.

Town Counsel will provide the Board with an update of litigation matters on November 29, 2010.

The new crosswalk signals have been installed in the Town Center.

Mr. Cohen received an offer of a $3000.00 rebate for the town if he participated in an "Undercover Boss" type event. Since everyone is aware of who he is, he modified the event and spent time working with Highway Department and Sewer Department to see firsthand what they do. Mr. Cohen learned a lot about what these departments do and the areas where they work; he participated in a culvert repair on Lisa Lane, and a leak repair at a pumping area.

Ferreira's Towing was given a 60 day suspension on their contract, which will resume on January 3, 2011. Mr. Cohen met with the owners of Ferreira's, and they are committed to resolving their issues. Christopher's Towing will carry out their duties during the suspension period. Christopher's fleet and storage area were inspected and CORI checks were completed, no issues were noted.

The Board was advised that the Ambulance contract will be expiring on June 30, 2011.

Capital and Budgeting Plans will be discussed, as will plans for the Center Fire Station. The Town Halls and DPW projects are progressing well. Discussions with local unions are ongoing.

Spring town Meeting Articles are due in January, 2011.

Town Manager Bid Award
LSP Services for Katrina Rd. Brownfields Project
Four bids were received for this project. The bid from Nobis Engineering was picked based on price, qualifications, and location of the company.

Motion: by Selectman Dahlberg to approve the Town Manager's Bid Award for LSP Services for 27 Katrina Rd. not to exceed $16,000.00. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Appointments
Master Plan Implementation Committee

Motion: by Selectman Dahlberg to approve the Town Manager's appointment of Peter Robson to the Master Plan Implementation Committee as the resident representative for term to expire June 30, 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Cultural Council

Motion: by Selectman Dahlberg to approve the Town Manager's appointment of Rosalyn Tavanis to the Cultural Council for a term to expire June 30, 2013. Seconded by Selectman Hanson. **Motion carries, unanimous.**

BOS Meeting Minutes
Executive Session Meeting Minutes-September 27, 2010

Motion: by Selectman Dahlberg to approve but not release the Executive Session Meeting Minutes of September 27, 2010 as amended. Seconded by Selectman Hanson. Selectman Wojtas abstained, all others in favor. **Motion carries.**

Regular Meeting Minutes-October 18, 2010
A correction was made that these are actually the minutes of October 4, 2010.

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of October 4, 2010 as amended. Seconded by Selectman Hanson. Selectman Wojtas abstained, all others in favor. **Motion carries.**

Unscheduled Business

BOS designee to Master Plan Implementation Committee
Chairman Dixon appointed Pat Wojtas as the Board of Selectmen designee to the Master Plan Implementation Committee.

Selectmen Referrals

Selectman Kurland:
Congratulations were given to Selectman Wojtas, the newest member of the board.

Residents were encouraged to attend the Veteran's Service being held on November 11, at 11AM.

A Bottle and Can drive will be held from 10AM to 2PM on November 13, 2010 and December 11, 2010 to benefit the Friends of Music.

Selectman Hanson:
Selectman Wojtas was welcomed to the Board.

Office hours at the Java Room will be on Thursday, November 11, 2010 from 5-6 PM, for anyone wishing to discuss concerns.

Selectman Dahlberg:
No Referrals.

Selectman Wojtas:
The Public Library's latest "One Book" selection will be *Hunger Games*.

The library recently had an exhibit featuring sketches of soldiers who have died in Iraq and Afghanistan. Another exhibit will feature artwork inspired by Tom Ryan's "Poem of Chelmsford".

The Military Community Covenant and the Chelmsford Women of Today will co-sponsor a Pizza Party event at the Chelmsford Center of the Arts on November 21, 2010. They will ask for a $5.00 donation from non-military participants.

Selectman Wojtas would like to discuss holding future Public Input Sessions with the board.

Selectman Wojtas asked about a sign on Stedman Street to designate the Town Line with Lowell. Mr. Cohen replied that he has sent an e-mail to Jim Pearson, DPW Director, regarding that request.

Chairman Dixon:
Residents were encouraged again to attend the Veteran's Service on November 11, 2010.

Press Questions
An audience member came forward to ask why his request for a roadside vendor license was not on the agenda tonight. Mr. Cohen was not aware of any issues with the request. Chairman Dixon explained it would be heard at the meeting on November 22, 2010.

Brandon Schillemat of the Chelmsford Patch asked if there was any information available regarding the latest suit filed by Richard McClure. Mr. Cohen explained the suit was filed at 3:08PM today with the Town Clerk. Defendants include the Board of Selectmen, Planning board, Zoning Board, the Building Inspector and Town Counsel. A response is due in 20 days, which will be filed by Counsel. No further information was available at this time.

Executive Session
Not needed this evening.

Next Regular Meeting: November 22, 2010.

Motion: by Selectman Dahlberg to adjourn this meeting at 8:59PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Respectfully Submitted,

Vivian W. Merrill,
Recording Secretary

List of Reference Documents:

-Proclamation for Veteran's Day
-One Day License Application for the Central New England Pony Club
-Supporting documents for Triangle Service Center
-Supporting documents for Chelmsford Sewer Commission
-Supporting documents for Center Brickhouse Pizza
-Listing of Committee Vacancies
-Supporting documents for Verizon Pole Petition.
-Supporting documents for FY 2010 Town Audit by Powers and Sullivan-3 booklets
-Town of Chelmsford Receipts to Date, September 30, 2010
-Town of Chelmsford Expenditure Report September 30, 2010
-Glenview Landfill Tarp Issue document
-Crooked Spring Dam Repair document
-Hi-Way Farm Market document
-Varney Park shed document
-Katrina Rd. document
-Committee Application for Master Plan Implementation committee
-Committee Application for Cultural Council
-Draft Meeting Minutes for October 4, 2010

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
November 22, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order – Notification of live cablecast

Public Service Announcements
- Thanksgiving Walk
- Holiday Prelude
- Rabies Clinic

Open Session

Committee Vacancies

Scheduled Business

Roadside Vendor Licenses
- Central Congregational Church
- Kessler North Pole Christmas Trees

Country Club, Too – Modification of Premises/Change of Ownership/Management

Transfer of Underground Storage:
- 30 Central Square
- 95 Chelmsford Street

7:30 p.m. Public Hearing – Board of Assessors, Tax Classification

Town Manager Appointments
- Master Plan Implementation Committee – Town Meeting Rep
- Recycling Committee
- Commission on Disabilities

Meeting Minutes
- Regular Meeting Minutes – September 27, 2010
- Executive Session Minutes – September 27, 2010
- Regular Meeting Minutes – October 25, 2010
- Executive Session Minutes – October 25, 2010

Unscheduled Business
- BOS Meeting Schedule
- BOS comments on Open Space and Recreation Plan
- Recommendation on Town Meeting Warrant Article for the Sewer Project

*** This meeting is televised. ***

Selectman Referrals

Press Questions

Executive Session

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Next Regular Meeting: December 6, 2010

Approved 12/20/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
November 22, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk
Patricia Wojtas, Selectman

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded by Chelmsford Telemedia.

Chairman Dixon called the meeting to order at 7:07PM.

Public Service Announcements
Thanksgiving Walk
Tom Christiano, 6 Drew Circle announced this annual walk would begin at 2PM at Janet Rd. and that anyone could attend this free event. Phil Stanway, 6 Lantern Lane was also present to announce the Third Annual Amazing Winter Tree Hunt was ready to begin, and featured 14 sites this year. Participants need to find 12 of the 14 trees, and e-mail photos of themselves by the tree to qualify for a trophy to be awarded to one randomly picked winner.

Holiday Prelude
Ken Kydd, 2 Hemlock Dr. announced this event was being held on December 5, 2010 from 4-6 PM. Events were listed, and everyone is welcome to this free event.

Rabies Clinic
Vivian Merrill, 23 Maple Rd. announced this year's event would be held on December 4, 2010 from 10AM-noon at the Chelmsford Dog Pound. Fees were provided for shots and 2011 Dog Licenses. The Chelmsford Dog Association would have information available and a small fundraising activity as well.

Open Session
Susan Gates, 7 Trotting Rd. spoke for the Chelmsford Center of the Arts Advisory Committee to announce that after the first year of operation, the Center is running "in the black". Public events being held in December, January and February were also announced. Mrs. Gates thanked the Town Manager for giving them this opportunity, and feels the Center has been a success.

Tom Christiano, 6 Drew Circle, introduced Philip Cohen, a town resident who would like to create a temporary ice skating rink funded by local businesses at the athletic fields behind the Westlands School. The Board was asked if they had any suggestions. Chairman Dixon offered Phil Stanway as a possible consultant. Selectman Hanson suggested that the School Department be contacted for their permission and advice, and Mr. Cohen suggested speaking to Gary Persichetti as well.

Jeff Hardy spoke for the July 4 Parade Committee to announce the holiday banners are up, and thanked families and businesses for their support. The Committee is looking for suggestions for their summer banners.

Committee Vacancies
Selectman Dahlberg read through the list of current vacancies, and encouraged interested applicants to apply through the Town Manager's office or via the Town's website. Selectman Wojtas added that the Military Community Covenant Task Force has one opening also.

Scheduled Business

Roadside Vendor Licenses
Central Congregational Church
Richard Papenfuss, 7 Gallup Dr. was present for questions. This will be the 26th year this sale of Christmas Trees and Wreaths has been done to support the Church.

Motion: by Selectman Dahlberg to approve a Roadside Vendor License to the Central Congregational Church, to sell Christmas Trees and Wreaths, from November 27 to December 23, 2010 at 1 Worthen Street for the hours of 9:00AM-8:00PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Kessler North Pole Christmas Trees
George Kessler, 280 E. Dunstable Rd., Nashua, NH was present for questions. He will be selling Christmas Trees and Wreaths by Sears on Drum Hill Rd.

Motion: by Selectman Dahlberg to approve a Roadside Vendor License to Illan Kessler-North Pole Christmas Trees, to sell Christmas Trees and assorted items from November 20 to December 25, 2010 at 95 Drum Hill Rd. for the hours of 8:00AM to 9:00PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Country Club, Too-Modification of Premises/Change of Ownership/Management
Atty. Patrick Wood spoke for the applicant. Maria King, the daughter of the prior owner and now the new owner was present. The prior owner passed away, and the family is working through the process of closing his estate. The building is being renovated; the upper floor will be leased to Best Fitness. The Liquor License for the restaurant will now be for 1 floor, and Maria King will be the new manager. Ms. King has been authorized to sign the paperwork for the license renewal, and they are still working through the process with the ABCC. Plans are still pending, and changes of officers, directors and facilities will be forthcoming. Mr. Cohen requested a time frame, as the new restaurant has been open for business for several months without all approvals. The applicant has met with the Building Inspector and Fire Department, and is acting on their recommendations. Chairman Dixon asked that the applicant contact Marian Currier as soon as possible with the final plans.

Transfer of Underground Storage: 30 Central Square and 95 Chelmsford St.
Steven Sharon of Global Companies, LLC, Waltham, MA was present for questions. The company has recently purchased the two Mobil Stations in question, and he is asking to transfer the existing licenses to Global Companies, LLC. Both stations will remain as Mobil stations. All inspections have been completed.

Motion: by Selectman Dahlberg to approve the transfer of the Underground Storage License from Exxon Mobil Corp. to Global Companies, LLC at 30 Central Square for the following: one 6,000 gallon tank of regular unleaded gasoline, one 8,000 gallon tank of regular unleaded gasoline one 10,000 gallon tank of

regular unleaded gasoline and one 12,000 gallon tank of premium gasoline. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the transfer of the Underground Storage License from Exxon Mobil Corp. to Global Companies, LLC at 95 Chelmsford St. for the following: three 10,000 gallon tanks of regular unleaded gasoline and one 10,000 gallon tank of premium gasoline. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Public Hearing-Board of Assessors, Tax Classification
Sam Chase came forward as Chairman of the Board of Assessors to explain that data and information is being provided to assist the Board in the annual decision on whether to maintain a single property tax rate for residential and commercial properties, or whether to have different rates for each category of property. This will be the sixth year of having a shift in value from residential to commercial properties. There was a 55% return of the Income and Expense reports sent to all businesses in Town, which reflected an increase from 22% return in prior years in Town, and a statewide average return of 28%. The Board of Assessors makes no recommendation on the decision of classification as a matter of policy. The decision rests with the Board of Selectman, per State Law.

Frank Reen, Chief Assessor provided information on evaluation requirements & methods, exemptions, abatements, compliance, sales data and the effects of a split tax rate and Minimum Residential Factors. The effect of various rate shifts for each type of property was also provided. Property valuations have been certified by the State, but the tax rate has not been certified yet.

There were no further questions from the Board.

Public Comments:
Douglas Haussler, 10 North Rd., spoke on behalf of the Chelmsford Business Association to maintain continued opposition to any tax classification. The Association believes classification to be unfair and discriminatory, and using it would divide the community.

Bob Joyce, 103 Turnpike Rd., asked if the information presented by the Board of Assessors would be available online, and it will be so.

Mr. Reen explained that residents could call his office for information on valuations, as they have not been published on a website yet, pending certification of the tax rate. There has been a 22% increase in abatement requests, which is expected when there is economic hardship. Requests for abatements must be filed by February 1, 2011, as the bills are expected to be mailed in December of 2010.

Motion: by Selectman Dahlberg to continue the Hearing for Tax Classification to December 6, 2010 at 7:30PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Appointments
Master Plan Implementation Committee
Mr. Cohen explained the role and current composition of this Committee. The Planning board has not named its appointees, as Mr. Lane and Mr. Zaharoolis have declined the opportunity. Mr. Eliopoulos offered to fill the Town Meeting Representative position upon hearing that no other representatives submitted an application by the deadline of November 3, 2010. Selectman Kurland asked to table this appointment to allow other representatives to apply. Selectman Dahlberg agreed that holding off on this appointment was reasonable in light of the Planning Board appointment delay.

Motion: by Selectman Kurland to continue the appointment of a Town Meeting Representative to the Master Plan Implementation Committee to December 6, 2010 to allow additional interested applicants to come forward, and to have an announcement at the Special Town Meeting on November 29, 2010. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Recycling Committee

Motion: by Selectman Dahlberg to approve the Town Manager's appointment of Rebecca Gore to the Recycling committee, for a term to expire June 30, 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Commission on Disabilities

Motion: by Selectman Dahlberg to approve the town Manager's appointment of Anne Smith to the Commission on Disabilities for a term to expire on June 30, 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Mr. Cohen advised that no issues have been noted with the Commission's Handicapped Parking Program.

Town Manager Reports

Mr. Cohen announced the receipt of a Notice of Public Hearing on December 8, 2010 at 7:15PM to the Planning Board and Historic District commission for plan modifications to the Old Town Hall.

The project to relocate the DPW to Alpha Rd. is moving on schedule.

A joint meeting with the Conservation Commission, Planning Board and Board of Appeals will be held on December 16, 2010 to discuss a proposal by Lowell General Hospital for their facility on Technology Drive.

Hi-Way Farm Market has opened for business.

The projects for replacing the windows at the High School and the roof at Byam Elementary School have been approved by the Massachusetts School Building Authority. Mr. Cohen is awaiting written confirmation.

The litigation filed by the North Chelmsford Water District against the DPW has been dismissed as a result of the ongoing relocation of the DPW.

Union contracts for all of the Town's union employees are now available for viewing on the Town website. Progress is being made on the remaining outstanding collective bargaining agreements. Annual earnings are customarily published in the Annual Town Report.

A joint budget meeting between the Board of Selectmen, the School Department and the Finance Committee has been scheduled for 7PM on December 13, 2010, at the School administration Building on North Rd. The State budget should be announced in January.

Work is taking place to repair the tarp at the Glenview Sand and Gravel site.

BOS Meeting Minutes

Regular Meeting Minutes-September 27, 2010

These minutes were approved at the meeting of October 25, 2010.

Executive Session Meeting Minutes-September 27, 2010

Motion: by Selectman Dahlberg to approve but not release the Executive Session Meeting Minutes of September 27, 2010 as amended. Seconded by Selectman Hanson. Selectman Wojtas abstained, all others in favor. **Motion carries.**

Regular Meeting Minutes-October 25, 2010

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of October 25, 2010 as amended. Seconded by Selectman Hanson. Selectman Wojtas abstained, all others in favor. **Motion carries.**

Executive Session Minutes-October 25, 2010

Motion: by Selectman Dahlberg to approve but not release the Executive Session Minutes of October 25, 2010, as amended. Seconded by Selectman Hanson. Selectman Wojtas abstained, all others in favor. **Motion carries.**

Unscheduled Business

BOS Meeting Schedule
Chairman Dixon announced the scheduled meetings for January through April, 2011.
Selectman Wojtas requested that a Public Input Session be held, which will be scheduled at a future meeting.

BOS comments on Open Space and Recreation Plan
Chairman Dixon explained a meeting would be held to discuss grant opportunities for synthetic athletic fields at the High School and the McCarthy Middle School. Selectman Wojtas felt the Board's Tree Planting Policy should be included in this plan, as it has been included in the Master Plan.

Motion: by Selectman Dahlberg to support the 2010 Open Space and Recreation Plan with the inclusion of the Board's Tree Planting Policy. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Recommendation on Town Meeting Warrant Article for the Sewer Project
The Finance Committee voted 5-2 vote to support the Warrant article. Mr. Cohen read from the town Charter regarding the Terms, Powers, Duties and Dissolvment of the Sewer Commission, and explained that the Sewer Commission is not part of the Sewer Division, but a separate entity that will be dissolved upon the completion of the Sewer Project. The Sewer Division is under the DPW, and operates under an Enterprise Fund. The $2 million shortfall is not related to the DPW operations. All sewer mains are installed, and 400 homes remain to be connected. Denial of the warrant would delay completion of the project, and would forfeit $1.6 million in principal forgiveness provided under Federal Stimulus Funding provisions. The project is expected to be completed in June, 2011. Approval of the article will not change betterments or capital charges, but will extend the payback time by two years. Selectman Dahlberg asked what audit processes would be implemented, as the prior processes were not sufficient. Barry Balan explained that all vouchers would be done through the Accounting Department. Jim Pearson would assist with monitoring and transitioning activities to the DPW. The remaining work is straightforward. Chairman Dixon agreed it would not be fair to the remaining 400 households if the project was not completed. Selectman Wojtas questioned why this article wasn't presented at the recently completed Fall Town Meeting. Mr. Balan explained the shortfall was not discovered until recently. Selectman Dahlberg

asked about waiting until the Spring 2011 Town Meeting, and Mr. Balan explained that the resulting contract delays would cause the project to cost even more. Selectman Wojtas requested more frequent updates of the project, which Mr. Balan will provide. Selectman Kurland reviewed the minutes of the Finance Commission meeting in 2008 that included contingencies and audit procedures. The audit did not reveal that $1 million of this request is to pay back expenses from other phases since 2003. Steve Peterson advised this request is based on specific items and details and is not based on estimates. The Board agreed in principle this project should be completed, but future projects should have a policy to address oversight and audit controls. Mr. Balan stood by the Commission, and felt this was a worthwhile project for the Town and its residents.

Motion: by Selectman Hanson to approve the Warrant Article for $2 million for the completion of the Town's Sewer Project, as presented. Seconded by Selectman Wojtas. Selectman Dahlberg opposed, all others in favor. **Motion carries.**

Selectmen Referrals

Selectman Kurland:
The Town Manager was commended for posting 9 union contracts on the town's website as a way to improve transparency in government.

The Selectman will have "Office Hours" at 9AM at the Java Room on Saturday, December 4.

Residents were encouraged to attend the winter Farmers Market being held on Saturdays at Agway.

Selectman Hanson:
Residents were invited to the Budget Buddies fundraiser being held at the Chelmsford Center for the Arts on November 29, 2010 from 5-8PM.

Office hours at the Java Room will be on Thursday, December 2, 2010 from 5-6 PM, for anyone wishing to discuss concerns.

Selectman Wojtas:
The Selectman asked for review of a traffic issue at North Rd and Parkhurst Rd. to consider programming a left turn arrow for the Route 4 Southbound side of the intersection.

The Pizza Social sponsored by the Military Community Covenant Task Force on November 21, 2010 had a good turnout.

Residents were encouraged to attend the High School Football Game on Thanksgiving morning.

Mr. Cohen announced that the "Entering Chelmsford" sign has been installed on Steadman St.

Selectman Dahlberg:
No Referrals.

Chairman Dixon:
Residents were thanked for attending the Veteran's Service on November 11, 2010.

Residents were wished a Happy Thanksgiving.

Press Questions
No one came forward at this time.

Executive Session
Not needed this evening.

Mr. Cohen reminded the Board of the Executive Session scheduled at 6:30PM on November 29, 2010, at the Chelmsford Senior Center, prior to the Special Town Meeting.

Next Regular Meeting: December 6, 2010.

Motion: by Selectman Dahlberg to adjourn this meeting at 9:02PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Respectfully Submitted,

Vivian W. Merrill,
Recording Secretary

List of Reference Documents:

-4th Annual Day Before Thanksgiving Walk flyer
-Holiday Prelude Announcement
-Rabies & Microchipping Clinic Flyer
-Supporting documents for Central Congregational Church Roadside Vendor License
-Supporting documents for Kessler North Pole Christmas Trees Roadside Vendor License
-Listing of Committee Vacancies
-Supporting document (letter) for Country Club, Too
-Supporting documents for Global companies' request for transfer of Underground Storage
-Tax Classification presentation & supporting documents
-Committee Application for Master Plan Implementation committee
-Committee Application for Recycling Committee
-Committee Application for Chelmsford Commission on Disabilities
-Draft Meeting Minutes for September 27, 2010 & October 25, 2010
-2011 BOS Meeting Schedule
-Memo & list of Action Items regarding support of the 2010 Open Space and Recreation Plan
-Warrant for special town Meeting November 29, 2010 and presentation

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
November 29, 2010

Senior Center
75 Groton Road

6:30 p.m. Call to Order

Roadside Vendor License – 55 Graniteville Road

Adjourn to Executive Session not to return to open session

Scheduled Business

Kopelman & Paige Litigation Update

Strategies for Negotiations with Non-Union Personnel

Next Regular Meeting: December 6, 2010

*** This meeting is not televised. ***

Approved 12/20/2010

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, November 29, 2010
Senior Center
75 North Rd, Chelmsford

Attending:
George Dixon, Chairman
Jon Kurland, Selectman
Patricia Wojtas, Selectman
Paul Cohen, Town Manager
John Giorgio, Town Counsel

Absent:
Eric Dahlberg
Matt Hanson

6:35pm
Chairman Dixon called the meeting to order.

Roadside Vendor License
A representative from Almo's Flower and Garden Center was present to request a Roadside Vendor license to sell Holiday items.

> **Motion:** Selectman Kurland made a motion to approve a Roadside Vendor's license to Almo's Flower and Garden to sell trees, wreathes, and other holiday items at Sully's Ice Cream Stand at 55 Graniteville Road, from November 30 to December 24, between the hours of 9:00am and 9:00pm. Selectman Wojtas seconded the motion. Motion carried, 3-0.

Selectman Hanson joined the meeting at 6:40pm.

Adjournment:

> **Motion:** Selectman Kurland made a motion at 6:40pm to adjourn to executive session for the purposes of litigation update, and strategies for negotiation with non-union personnel, not to return to open session. Selectman Wojtas seconded the motion. Roll call:
>
> Selectman Wojtas: Aye
> Selectman Kurland: Aye
> Selectman Hanson: Aye
> Chairman Dixon: Aye

Respectfully submitted,

Pat Wojtas

Approved and Released
12/20/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Executive Session MINUTES
November 29th, 2010

Attending:
George Dixon, Chairman
Matt Hanson, Clerk
Jon Kurland, Selectman
Patricia Wojtas, Selectman

Paul Cohen, Town Manager
John Giorgio, Town Counsel

Absent:
Eric Dahlberg

Chairman Dixon called the Executive Session to order at 6:40 PM.

Litigation:
Mr. Giorgio reviewed the list of pending cases in which the Town is involved.

Motion: Selectman Kurland made a motion to adjourn Executive Session at 7:18pm. Selectman Wojtas seconded the motion. Motion unanimously carried.

Roll Call Vote:
Chairman Dixon: Aye
Selectman Kurland: Aye
Selectman Hanson: Aye
Selectman Dahlberg- Aye
Selectwoman Wojtas- Aye

Motion carries, unanimous.

Next Regular Meeting: December 6, 2010

Executive Session adjourned at 7:18 PM.

Respectfully Submitted,

Matthew Hanson
Clerk

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, November 8, 2011 **Time:** 7:00 p.m.

Location: Town Office Room Number: 204

Name of Building

50 Billerica Rd

Street Address

Elizabeth A. Delaney

Town Clerk's Signature

10/4/11

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, November 22 2016 **Time:** 7:00 pm

Location: Town Office Room Number: 204

Name of Building

56 Billerica Rd

Street Address

Elizabeth A. Delaney T. Wynn 11/14/16

Town Clerk's Signature Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~ Executive Session

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, Nov 29, 2010 **Time:** 6:30 pm

Location: Senior Center Room Number:

Name of Building

75 Hudson Rd

Street Address

Town Clerk's Signature

Clerk/Bd. Member & Date 11/10/10

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
December 6, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order – Notification of live cablecast

Public Service Announcements
- Town Holiday Party

Open Session

Committee Vacancies

Scheduled Business

Annual License Renewals

7:30 p.m. Continuation of Public Hearing – Board of Assessors, Tax Classification

7:30 p.m. Public Hearing: Kastore, 100 Tyngsboro Rd. – Transfer of All Alcohol License

7:45 p.m. Public Hearing: Szechuan Chef, 6-8 Vinal Square – Alteration of Premises

Bicycle and Pedestrian Advisory Committee Update – Tom Gazda

Town Manager Reports
- MSBA Green Repair Program
- Delwood Road Turn Restriction
- Outdoor Skating Rink
- Holiday Hours for Town Office
- Deadline for Citizen Petition Town Meeting Warrant Articles

Town Manager Bid Awards
- Operation and Management of Golf Course
- Operation and Management of Function Hall

Town Manager Appointments
- Master Plan Implementation Steering Committee
- Holiday Decorating Committee

BOS Appointments
- Military Community Covenant

Meeting Minutes
- Regular Meeting Minutes – November 8, 2010

Unscheduled Business
- BOS Public Input Session, January 18, 2011

*** This meeting is televised. ***

Selectman Referrals

Press Questions

Executive Session

- Strategies for negotiations with non-union personnel

Next Regular Meeting: December 20, 2010

Approved 12/20/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
December 6, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk
Patricia Wojtas, Selectman

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded by Chelmsford Telemedia.

Chairman Dixon called the meeting to order at 7:04PM.

Public Service Announcement
Town Holiday Party
Chairman Dixon announced that the Town Holiday Party is being held December 17, 2010, from 5-10PM, at the Elks. Tickets are available from the Town Manager's office.

Open Session
Pam Armstrong, Scotty Hollow Dr. thanked the Board for its assistance in the past on the issue of the proposed asphalt plant on Rt. 40 in Westford. The applicants are appealing the denial of the permit in Westford, and the citizens group in Chelmsford is asking if the Board could authorize funding for the appeal. Chairman Dixon advised that members of the Board would attend as many meetings as possible. Mr. Cohen explained that Richard Day attended the hearing in Wilmington this day.

Bob Joyce, 103 Turnpike Rd., explained he was speaking as a citizen, not as a member of the press, as he had to leave Chelmfordmassnews due to his other job obligations. Mr. Joyce requested that a policy be put in place to address leaning or damaged utility poles, and listed several that are in need of repair. Mr. Joyce asked the Board to have the building inspector review the auto dealer's site on the corner of Littleton and Kidder Roads, as there seem to be more vehicles for sale there than permitted. Mr. Joyce enjoyed the Holiday Prelude on December 5, 2010. Mr. Cohen agreed to send a notice to Verizon regarding the poles in need of repair.

Committee Vacancies
Selectman Dahlberg read through the list of current vacancies, and encouraged interested applicants to apply through the Town Manager's office or via the Town's website.

Scheduled Business

Annual License Renewals

Motion: by Selectman Dahlberg to approve a Lodging House License for one applicant for 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve an Automatic Amusement License for one applicant for 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve All Alcohol Club Licenses for two applicants for 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve All Alcohol Innholders License for two applicants for 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve Beer and Wine Restaurant Licenses for nine applicants, subject to conditions where noted, for 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve All Alcohol Restaurant Licenses for twenty four applicants, subject to conditions where noted, for 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve All Alcohol Package Store Licenses for seven applicants, subject to conditions where noted, for 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve Auto Dealer Licenses for two Class One Dealers and twenty five Class II, subject to conditions where noted, for 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve Common Victualer Licenses for forty applicants subject to conditions where noted, for 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Continuation of Public Hearing-Board of Assessors, Tax Classification
Frank Reen provided a copy of the Recap list which was electronically submitted to the State DOR. Selectman Wojtas asked why the average bill is increasing by more than 3%, and Mr. Reen explained the bills include an amount for non-excluded debt obligations. There were no further questions from the Board, no comments from the audience, and Mr. Cohen reported no letters had been received in his office.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve a uniform Tax Rate for commercial and residential classes of property for 2011, and to maintain the same exemption status as is currently in place. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Public Hearing: Kastore, 100 Tyngsboro Rd.-Transfer of All Alcohol License.
Maged Amin was present for questions. Selectman Wojtas requested Mr. Amin to submit his TIPS certification paperwork, and noted that one of the forms was not signed. Mr. Amin explained his current TIPS certification is valid until 2011, and he will forward copies of the paperwork, and will make sure the form is signed. No further questions from the Board. There were no comments from the audience.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve the transfer of Kastore's Restaurant All Alcoholic Restaurant License to Shory's, Inc. d/b/a Kastore's Restaurant, to be exercised on the premises at 100 Tyngsboro Rd., to include an Entertainment License for televisions and radio, with the following conditions: Occupancy 150, and hours of operation 11:00AM-11:00PM Weekdays and Saturdays, and 11:00AM-10:00PM on Sundays. This approval is contingent upon the signing of one outstanding form, and receipt of TIPS Certification. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Bicycle and Pedestrian Advisory Committee Update-Tom Gazda
Mr. Gazda did a presentation that explained the Committee's charge, different activities the committee is working on, things the Committee has accomplished, and their future goals and direction. Mr. Gazda asked the Board to appoint a new liaison, and Selectman Wojtas offered to fill the request. Mr. Gazda was asked to explain the Safe Routes to School Program, which offers grant opportunities for bike rack installation, creation of sidewalks, and other related activities. A participating school must be in the program for at least a year before applying for these grants. Selectman Wojtas noted that the McAuliffe School in Lowell was recently awarded $500,000.00 in grant money, but Mr. Gazda was not aware of what the grant was for. Mr. Gazda was asked how an opening could be created in the Freeman Rail Trail in the area between Chelmsford Center and Fletcher St. Mr. Gazda is speaking with Len Olenchak, and Mr. Cohen explained some of the safety concerns between pedestrians and bicyclists in this area. Mr. Gazda agreed the solution was not as simple as cutting the railing.

Public Hearing-Szechuan Chef, 6-8 Vinal Square-Alteration of Premises
Wayne Liu explained a space was being added to the bar area for the installation of a 39" television. No questions were received from the Board. No Comments were received from the audience.

Motion: by Selectman Dahlberg to close the Public Hearing. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Motion: by Selectman Dahlberg to approve an Alteration of Premises for Szechuan Chef, Inc. to be exercised on the premises at 6 Vinal Square and an Entertainment License for televisions. Seating capacity will remain the same as previously. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Reports
MSBA Green Repair Program
Mr. Cohen advised the paperwork for the replacement of the roof at Byam School and the windows at the High School is being finalized. The work is expected to be completed in the summer of 2011.

Delwood Rd. Turn Restriction
Mr. Cohen asked the Board to authorize the placement of a sign on the East side of Steadman St., advising there would be no left turns allowed onto Delwood Ave between 7-9AM on weekdays, as recommended by the Police Chief.

Motion: by Selectman Dahlberg to authorize placement of a "No Left Turn between 7-9AM Monday-Friday" sign for Delwood Ave, to be placed on Steadman St, as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Outdoor Skating Rink
Mr. Cohen explained the proposed skating rink has been moved to the McFarlin Softball Field. Construction is anticipated to begin on December 18, 2010, and all volunteers will be welcomed. The Softball League has requested that the rink be removed by March 1, 2011. Skating will also be allowed at the pond at Roberts Field.

Holiday Hours for Town Offices
Town Offices will be closed on the Fridays of December 24, 2010 and December 31, 2010. Tax payments left in the "black box" will be posted as being received on those dates.

Deadline for Citizen Petition Town Meeting Warrant Articles
Petitions for the spring Town Meeting are due by January 3, 2011.

Town Manager Bid Awards
Operation and Management of Golf Course
Mr. Cohen explained that eight bid packages were sent out, and four were received. Mr. Cohen is recommending the bid go to Sterling Golf Management.

Motion: by Selectman Dahlberg to approve the Town Manager's bid award recommendation for the Golf Course at Chelmsford Country Club be awarded to Sterling Golf Management in the amounts of 10% of the first $300,000.00 of gross receipts and 25% of gross receipts thereafter. Capital Improvements shall be 1% of gross receipts from the operation of the golf course. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Operation and Management of Function Hall

Motion: by Selectman Dahlberg to approve the Town Manager's bid award recommendation for the Function Hall at Chelmsford Country Club be awarded to Sterling Golf Management in the amount of $600.00 per month, and $1,000.00 for Capital Improvements per year. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Appointments
Master Plan Implementation Committee
Mr. Cohen explained the prior application was withdrawn, and 6 other inquiries were received.

Motion: by Selectman Dahlberg to approve the Town Manager's appointment of Danielle Evans to the Master Plan implementation Committee. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Holiday Decorating Committee
Mr. Cohen announced this year's Holiday Prelude was very well attended, and anyone wishing to become involved in next year's event would be welcomed by the new committee.

Motion: by Selectman Dahlberg to approve the Town Manager's appointments of Colleen Stansfield, Erik Merrill, Vivian Merrill, Santiago Rios, Melissa Reynolds, and Paul Reynolds to the Holiday Decorating Committee for a term to expire on December 31, 2011. Seconded by Selectman Hanson. **Motion carries, unanimous.**

BOS Appointment
Military Community Covenant

Motion: by Selectman Dahlberg to approve the Board of Selectmen's appointment of Robert Vines to the Military Community Covenant Task Force. Seconded by Selectman Hanson. **Motion carries, unanimous.**

BOS Meeting Minutes

Regular Meeting Minutes-November 8, 2010
Selectman Wojtas will send her edits to Selectman Hanson for inclusion in the final minutes.

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of November 8, 2010 as amended. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Unscheduled Business

BOS Public Input Session, January 18, 2011
Chairman Dixon suggested an alternative date for this session due to conflicts with several members' schedules. The new date for the Public Input Session will be Monday, February 7, 2011.

Selectmen Referrals

Selectman Kurland:
Dennis McHugh has been chosen to receive the Chelmsford Business Association's award for "Citizen of the Year".

The Chelmsford Senior Center will be selling pies through December 17, 2010.

Santa will be back on December 11, 2010 at the Unitarian Church for a Breakfast with Santa fundraising event.

There will be an art exhibit at the library from 2-4PM on December 11, 2010.

Selectman Hanson:
The Economic Development Committee held a joint meeting with the Planning Board and the Conservation Commission to discuss issues between the Town and local business.

Office hours at the Java Room will be on Thursday, December 9, 2010 from 5-6 PM, for anyone wishing to discuss concerns.

Selectman Wojtas:
The CHS Football Team was congratulated for their win against Billerica on Thanksgiving Day.

Residents were encouraged to recycle their old telephone books.

The Merrimack Valley Housing Partnership is offering a 10 hour seminar for first time homebuyers. A flyer is available at the town Manager's office, or online.

Selectman Dahlberg:
The Holiday Prelude and the Day before Thanksgiving Walk were both very well attended.

Chairman Dixon:
Mrs. Claus was thanked for keeping Santa well fed, and the CBA was thanked for donating the buggies, horses and tractors for the Holiday Prelude. Photos of children with Santa are now posted on the Chelmsfordmassnews website. Selectman Wojtas suggested that the tree lights be turned on at 4PM, when the event begins.

Press Questions
No one came forward at this time.

Executive Session
Motion: by Selectman Dahlberg to enter into Executive Session for the purpose of discussing strategies for negotiations with non-union personnel, not to return to Regular Session. Seconded by Selectman Hanson. Roll Call Vote:

Selectman Kurland: Aye
Selectman Hanson: Aye
Chairman Dixon: Aye
Selectman Dahlberg: Aye
Selectman Wojtas: Aye

Regular Meeting was adjourned at 8:27PM.

Next Regular Meeting: December 20, 2010.

Respectfully Submitted,

Vivian W. Merrill,
Recording Secretary

List of Reference Documents:

-Town Holiday Party Announcement
-Committee Vacancies List
-List of Motions for License Renewals
-Supporting documents for Tax Classification Hearing
-Supporting documents for Kastore Transfer of all Alcohol License
-Copy of the BPAC Update Presentation
-Supporting Documents for Szechuan Chef-Alteration of Premises Request
-Letter dated November 17, 2010 from Katherine Craven regarding repairs at the Byam Elementary School and Chelmsford High School
-Memo dated November 19, 2010 regarding the Delwood Ave. turn restriction
-Town Office December Holiday Schedule
-Request to advertise public notice for Spring Town Meeting
-Memo of December 1, 2010 regarding Management of Chelmsford golf course and Function Hall
-Committee application for Master Plan Steering committee
-Committee applications for the Holiday Decorating Committee
-Committee applications for the Military Community Covenant
-Draft Meeting Minutes for November 8, 2010.

Approved and Released
12/20/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Executive Session MINUTES
December 6th, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Matt Hanson, Clerk
Jon Kurland, Selectman
Pat Wojtas, Selectman

Paul Cohen, Town Manager

Chairman Dixon called the Executive Session to order at 8:30 PM.

Paul Cohen explained that he was requesting a 2% raise and he requested having his deferred pay rolled into his regular pay.

The Board agreed that this was warranted due to the fact that Mr. Cohen had not had a raise in 2 fiscal years and he has been performing well.

Selectman Dahlberg noted that Mr. Cohen's good performance is the main reason he is in favor of this raise.

Selectman Kurland wanted to make sure that people understood that this really was only a 2% raise and not a 7% raise due to the deferred pay. The 5% deferred pay already comes out of the town's budget.

Mr. Dixon noted that this was equivalent to one step increase that other department heads would receive.

Mr. Hanson commented on Mr. Cohen's good job handling the negotiations with the towns unions this year.

Selectman Dahlberg motioned to approve the FY11 compensation schedule for the town manager at $142,695 base pay plus a 2% increase to a total salary of $145,549 as presented.

Selectman Hanson seconded the motion.

Roll Call:

Selectman Kurland- Aye
Selectman Hanson- Aye

Selectman Dixon- Aye
Selectman Dahlberg- Aye
Selectwoman Wojtas- Aye

Motion: by Selectman Dahlberg to adjourn the Executive Session. Seconded by Selectman Kurland.

Roll Call Vote:
Chairman Dixon: Aye
Selectman Kurland: Aye
Selectman Hanson: Aye
Selectman Dahlberg- Aye
Selectwoman Wojtas- Aye

Motion carries, unanimous.

Next Regular Meeting: December 20, 2010

Executive Session adjourned at 8:50 PM.

Respectfully Submitted,

Matthew Hanson
Clerk

CHELMSFORD BOARD OF SELECTMEN
JOINT MEETING
SCHOOL COMMITTEE & FINANCE COMMITTEE
MEETING AGENDA
December 13, 2011

School Administrative Offices
230 North Road

7:00 p.m. Call to Order – Notification of live cablecast

Open Session

Fiscal Year 2011 Budget Report

Fiscal Year 2012 Budget Estimate

Electricity Supply Procurement

Press Questions

Next Regular Board of Selectmen Meeting: December 20, 2010

*** This meeting is televised. ***

Approved 1/10/2011

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Tri-Board Regular Meeting MINUTES
December 13, 2010

Board of Selectmen Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk
Patricia Wojtas, Selectman

Paul Cohen, Town Manager
John Sousa, Town Treasurer
Darlene Lussier, Town Accountant

School Committee Attending:
Frank Tiano, Superintendent
Katherine Duffett, Chairman
Angelo Taranto
Nick DeSilvio

Janet Askenburg
Evelyn Thoren
Kathleen McWilliams, Business Manager

Finance Committee Attending:
Roy Treible
Dwight Hayward
Mary Frantz
Donald Van Dyne

Vincent Villano
David Turocy
Tim McIlvenna

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded by Chelmsford Telemedia.

Chairman Dixon called the meeting to order at 7:00PM.

Mr. Cohen introduced Darlene Lussier to provide a status report on the current budget through November 30, 2010. Ms. Lussier noted that collections are very near where they should be, excise taxes and permit activity is higher than expected, and investments are down 30% due to rates being at their lowest. Real estate collections are on target, and there will be state reimbursements coming at the end of December. Funds used for expenses should be 42% expended by November, 30, and are actually 34% expended. Exceptions are police overtime due to four officers being out injured, and unemployment claims being higher than expected due to extensions that were granted by the federal government. Mr. Cohen noted future overtime concerns with the Fire Department, as three firemen will be attending the fire academy for training from January-March, 2011, and three fire fighters have retired since the three new firemen were hired. Mr. Van Dyne noted that 64% of insurance and benefits have been expended. Ms. Lussier explained most of those expenses had to be paid up front.

John Sousa explained the capital budgeting process, and listed the members of the Capital Budgeting Committee. The committee received $3.4 million in funding requests, and approved $2.5 million. The rest of the requests will be deferred. The approved items were listed for attendees' review. Mrs. Duffett noted that the School Committee did not approve anything for hybrid vehicles, but there is a line item listed now. Mr. Cohen explained 2 school vehicles need replacing. Mrs. Duffett requested that this be discussed

further at their next meeting on December 14, 2010. The projects for the Byam School roof and the replacement windows at the High School must be completed by December 2011 in order to qualify for the 50% state reimbursement.

Mr. Sousa explained the FY12 operating budget is funded from four sources of revenue-property taxes, state aid, local receipts and available funds. The property tax rate was certified by the State as of December 10, 2010, and Chelmsford ranked 67th compared to other communities. Mr. Cohen anticipates a 10% decrease in State Aid, which translates into $1.4 million reduction in General Government Aid. Chapter 70 aid should be level funded, and Charter school activity will continue to be monitored. For local receipts, the biggest changes will be to excise taxes and permits. Mr. Cohen anticipates a 10% increase in Health Insurance expenses, a 7.62% increase in retirement assessments, $300,000.00 increase in non-excluded debt service, step increases for the schools and special education cost increases, and 5.18% increase in expenses for the Nashoba Technical School assessment. The School Department will utilize leftover stimulus funding of $670,000.00. New revenue is projected at $1,435,331.00; anticipated expenses are projected at $2,438,000.00, for a potential deficit of $1,003,331.00.

The Governor's budget and motor vehicle excise commitment are expected to be announced in January 2011. Health insurance rates and the Nashoba Tech assessments will be announced in February. A meeting on retirement assessments is being held on December 17, 2010. Collective Bargaining contracts have or will expire. Mr. Cohen suggested that the next Tri-Board meeting be held on January 31, 2011.

Mr. Cohen explained he is trying to move groups of employees to a less expensive health insurance plan, as services and personnel cannot be reduced further. It is expected that FY12 will be the worst year of financial cuts. Mr. Cohen will provide updates as he receives them. Department heads have been asked to provide level service budgets. Mr. Cohen is trying to negotiate a proposal for electricity procurement, as prices are currently at 2004 levels, and the Town is in the second year of a five year contract. Ms. Frantz and Ms. Thoren noted that state aid and other revenues are not keeping up with inflation, and needed supplies are not being purchased because of health insurance costs. Mrs. Duffett reiterated the need for Chapter 70 reform. Selectman Dahlberg suggested inviting the legislative delegation to the meeting on January 31, which Mr. Cohen will oblige. Mr. McIlvenna requested an accounting of how much stimulus funding has been received, and where it was used. Mr. Cohen agreed to obtain the information.

The meeting was ended at 8:15PM.

Respectfully submitted,

Vivian W. Merrill
Recording Secretary

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA
December 20, 2010

Town Offices
50 Billerica Rd.

7:00 p.m. Call to Order – Notification of live cablecast

Public Service Announcements

-

Open Session

Scheduled Business

Change of Manager, Country Club II

Town Manager Reports

- Mid Fiscal Year Report - Goal Status, Building Projects, Town Meeting Topics, etc.
- Deadline for Town Meeting Warrant Article Citizen Petitions
- Keno to Go – Chelmsford Gas & Market, 81 Tyngsboro Rd.

Meeting Minutes

- Executive Session Minutes – November 29, 2010
- Regular Meeting Minutes – December 6, 2010
- Executive Session Minutes – December 6, 2010

Unscheduled Business

-

Selectman Referrals

Press Questions

Executive Session

-

Next Regular Meeting: January 10, 2011

*** This meeting is televised. ***

Approved 1/24/2010

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, Ma 01824

Regular Meeting MINUTES
December 20, 2010

Attending:
George Dixon, Jr., Chairman
Eric Dahlberg, Vice Chair
Jon Kurland, Selectman
Matt Hanson, Clerk
Patricia Wojtas, Selectman

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded by Chelmsford Telemedia.

Chairman Dixon called the meeting to order at 7:02PM.

Public Service Announcement
There were no public service announcements for tonight's meeting.

Open Session
No one came forward at this time.

Scheduled Business
Change of Manager, Country Club Too
Atty. Patrick Wood was present with Maria King. Selectman Wojtas asked about the changes in premises and seating, and was told the plans for renovation are still in progress and should be completed by next month.

Motion: by Selectman Dahlberg to approve a Change of Manager from David Cunha to Maria King, at Country Club Too, to be exercised on the premises at 67 Parkhurst Rd. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Town Manager Reports
Mid Fiscal Year Report-Goal Status, Building Projects, Town Meeting Topics, etc.
Mr. Cohen provided a status of what has been accomplished on the annual goals the he and the Board set in May, 2010. Topics included Master Plan Implementation, Health Insurance Cost Containment, Fire Department Headquarters Facility, Renovation of the Town Hall and North Town Hall, DPW Facility on Alpha Rd., the Dutton House, Repairs to the Town Clock, Creation of a Dog Park, Regionalization of Services, Collective Bargaining, Public Outreach, 2012 State Legislative Redistricting and 29 other items.

Deadline for Town Meeting Warrant Article-Citizen Petitions
Mr. Cohen announced that the deadline for Citizen Petitions is January 3, 2011; the deadline for Town sponsored "placeholders" is January 7, 2011; and the deadline for all Town sponsored articles is February 4, 2011.

Keno to Go-Chelmsford Gas and Market, 81 Tyngsboro Rd.

Mr. Cohen asked the Board if there were any concerns with the applicant's request. The Board had no concerns.

Inspection of DPW/Municipal Vehicles
Mr. Cohen explained that all municipal vehicles have been inspected, and no equipment defects were noted. To ensure all vehicles get inspected in the future, all DPW vehicles will be inspected each July, and all sewer vehicles will be inspected in August. The Lowell Sun has questioned why Ferreira's Towing was used to perform the inspections, and Mr. Cohen explained they have the proper equipment to complete the inspections, and he did not feel the company would compromise the inspections.

Resignation of Library Trustee Diane Severin
There will be a joint meeting of the Board of Selectmen and the Library Board of Trustees to appoint a replacement for Ms. Severin until the next election. The meeting will be held on January 10, 2011.

Other Reports
The first joint meeting of the Planning Board, Conservation Commission and Board of Appeals to hear Lowell General Hospital's proposal for a three story building and two level parking deck was very productive. The individual Boards will now hear more detailed plans, there have been no abutter concerns raised to date.

The demolition permit for the Cinema site is almost complete. More information on future development at the existing Stop-n-Shop site will be forthcoming.

Open Session
Brian Latina, 15 Jessie Rd. questioned the ADA compliance of the metal ramp installed at St. Mary's Church. The ramp was installed because the elevator in the church is broken. Mr. Latina noted that the Building Inspector refused to approve the ramp based on a minor alignment issue. Mr. Latina suggested imposing penalties for DPW trucks that speed, and he asked if the driver of the uninspected vehicle involved in a rollover accident was cited. Mr. Latina cautioned the Board against moving the Dutton House from its current location, based on previous promises. Mr. Latina questioned the school system's impact on the cost of health care, explaining that the public sector should be held to the same standards at the private sector. Regionalization happens in the private sector through mergers. The need for three water districts was also questioned. Mr. Latina asked if the fees on utility bills would be coming off now that the utility poles were being taken down in the Town Center. Mr. Latina also asked if the Town's bylaws address double pole violations and damaged light poles that are not being repaired.

<u>BOS Meeting Minutes</u>

Regular Meeting Minutes-November 22, 2010

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of November 22, 2010 as presented. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Regular Meeting Minutes-November 29, 2010

Motion: by Selectman Wojtas to approve the Regular Meeting Minutes of November 29, 2010 as presented. Seconded by Selectman Kurland. Selectmen Dahlberg and Hanson abstained, all others in favor. **Motion carries.**

Executive Session Meeting Minutes-November 29, 2010

Motion: by Selectman Wojtas to approve the Executive Session Meeting Minutes of November 29, 2010 as amended. Seconded by Selectman Kurland. Selectman Dahlberg abstained, all others in favor. **Motion carries.**

Regular Meeting Minutes-December 6, 2010

Motion: by Selectman Dahlberg to approve the Regular Meeting Minutes of December 6, 2010 as amended. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Executive Session Meeting Minutes-December 6, 2010

Motion: by Selectman Dahlberg to approve but not release the Executive Session Meeting Minutes of December 6, 2010 as presented. Motion was amended by Selectman Wojtas to approve and release these minutes. Amended motion was seconded by Selectman Hanson. **Motion carries, unanimous.**

Unscheduled Business

There was no unscheduled business discussed at this meeting.

Selectmen Referrals

Selectman Kurland:
Everyone was wished "Happy Holidays".

All volunteers were thanked for their efforts on Roberts Field and the Ice Skating rink at McFarlin Field.

There will be no office hours in January, as the Java Room is closed on Saturday, January 1 for New Year's Day.

Selectman Hanson:
Office hours at the Java Room will resume in January.

Everyone was wished a Happy Holiday.

Selectman Wojtas:
The annual Nashoba Technical School Breakfast will be held on Friday, February 4, 2011.

Due to the Saturday holidays, trash will be picked up on Friday.

Mr. Russo was congratulated for receiving his Eagle Scout Award last Saturday.

Selectman Wojtas requested a status on the Auto Dealer complaint on Littleton Rd. Mr. Cohen explained the Building Inspector has visited the site, and will continue to monitor activity there. A similar visit was done last year as well.

Selectman Wojtas noted that not all Town vehicles have the Town Seal on them. Mr. Cohen requested more information on which vehicles do not have a seal.
Everyone was wished a Happy Holiday.

Selectman Dahlberg:
Volunteers were thanked for their great effort on Roberts Field.

Chairman Dixon:
Everyone was wished a Merry Christmas.

The two top students were recognized at a School Committee Presentation. These students participated in many extra activities and were still very successful. This is a tribute to the teachers, administrators and the School system.

Everyone was wished a Happy New Year.

Press Questions
Krista Perry, Chelmsford Patch, asked to verify how many municipal vehicles had not received timely inspection stickers. She was told there were two Sewer Department vehicles and four Highway Department vehicles lacking current stickers, and the situation has been corrected.

Executive Session
Executive Session was not needed this evening.

Motion: by Selectman Dahlberg to adjourn this meeting at 8:20PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Next Regular Meeting: January 10, 2010.

Respectfully Submitted,

Vivian W. Merrill,
Recording Secretary

List of Reference Documents:

-Supporting documents for Change of Manager-Country Club Too, Inc.
-Mid-Fiscal year Report Goals & Other Activities Presentation
-Memo dated December 15, 2010 regarding Spring Town Meeting Warrant Article Deadlines
-Supporting documents for Concord Convenience and Chelmsford Gas and Market Keno-to-go Application
-Memo of December 14, 2010 regarding the resignation of Diane Severin
-Draft Meeting Minutes for November 22, 2010, November 29, 2010 and December 6, 2010.

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, December 6, 2010 **Time:** 7:00 pm

Location: Town Offices Room Number: 204
Name of Building

50 Billerica Rd
Street Address

Elizabeth H. Delaney — 11/30/10

Town Clerk's Signature — Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Joint w/ SC + FinCom

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday, December 13, 2010 **Time:** 7:00 pm

Location: School Administration Room Number: _____

Name of Building

2307 Walk Road

Street Address

Elizabeth H. Dewey

Town Clerk's Signature

Lucia [illegible] 11/30/10

Clerk/Bd. Member & Date

Notice of Meetings of Town Departments and all Town Boards

As required by Chapter 39, G.L.

~ Please Press Firmly and Print ~

Name Of Department or Board: Board of Selectmen

Date of Meeting: Monday December 20, 2010 **Time:** 7:00 pm

Location: Town Offices Room Number: 204

Name of Building

50 Billerica Rd

Street Address

Elizabeth H. Dewey

Town Clerk's Signature

Clerk/Bd. Member & Date

RECEIVED

10 NOV 30 PM 12:45

TOWN OF CHELMSFORD
ELIZABETH L. DELANEY
TOWN CLERK